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Judge Shirley Underwood
with Best Wishes
to you and hope
you will
continue to serve
as judge
Herbert S. Walter
Dec 6th 1963



Herbert Sanford Walters

HOWARD L. HILL

THE HERBERT WALTERS STORY



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Those who would carry on great public schemes must be proof against the worst fatiguing delays; the most mortifying disappointments, the most shocking insults, and, what is worst of all, the presumptuous judgement of the ignorant upon their design.

EDMUND BURKE

* * * * *

o o o o o o

TO THE MEMORY OF

John Milo Walters and Lula Rhoda Franklin Walters,
the Father and Mother of Herbert Sanford Walters,
whose lives were spent in uninterrupted, unselfish sac-
rifice for their children, and in tireless service to the
countless people with whom they came in contact.

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Foreword

It is with some misgivings and with a definite consciousness of the responsibility assumed, that "THE HERBERT WALTERS STORY" has been undertaken. It is indeed a privilege to be given such an assignment, and it is hoped that the subject has been discussed with understanding and appreciation. The research involved has brought to light many incidents in the life of Herbert Walters, which a great many people, including the Walters Family, had forgotten.

We have made a particular effort not to over-rate Herbert Walters as an individual, but we have stressed the position he occupies in the minds and lives of many, many people. In the background of the whole picture is the unusual heritage of the Walters Family, which has rarely been equalled in this section of our State and Country.

We have attempted to present a straight-forward recital of what one American, with unquenchable spirit and determination, and with high ideals of private and public conduct, integrity and a dedication to the principles of truth and honesty, can accomplish in this amazing Nation of ours!

HOWARD L. HILL

Acknowledgements

"THE HERBERT WALTERS STORY" could never have been written without the assistance of a number of individuals. Among them are Ruby Loug, Mr. Walters' faithful and efficient Secretary, whose Scrapbooks and other material collected over a period of years were placed at my disposal. My thanks are also due George Herbert Prater, Mr. Walters' nephew, for allowing me to examine his personal Scrapbook and other data; to Mrs. Tracy W. Prater, Sr., of Knoxville, Mr. Walters' sister, for family records. I am especially grateful to Ellen McClung Berry, of White Pine, Tennessee, who, with her husband, Thomas H. Berry, has restored to its original magnificence, "Riverview" (now known as "Fairfax"), the I. W. R. Franklin mansion. Both Mr. and Mrs. Berry are intimately familiar with the fascinating history of the Franklin Family, and they have placed at my disposal much valuable information. I am also grateful to Mrs. William P. Wood, of Strawberry Plains, Tennessee; to Mrs. Lillian Franklin Carson Saville, of Atlanta, Georgia; to Mrs. Charles A. Dotson, of Chattanooga, Tennessee; to Mrs. Lula Chinn, New Orleans, Louisiana; to Mrs. W. P. Scott, of Lakeland, Florida; to Miss Sarah Dougherty, of Russellville, Tennessee; to Mr. S. B. Budd, of Bristol, Virginia; and to Mrs. Frank Howard Taylor, of Rabbit Patch Farm, Bean Station, Tennessee. I am deeply indebted to my sister, Clara Hill Emery, for the countless hours she spent with me in traveling over a great area of East Tennessee, in search of information on the Franklin Family in connection with epitaphs appearing on Franklin graves in Bethcar Graveyard, near Leadville, Tennessee, and her assistance in compiling data on the various Franklin mansions: "Riverview" on the French Broad River; "Bleak House" on Kingston Pike, Knoxville, Tennessee; and the original Lawson D. Franklin mansion near Leadvale, Tennessee.

HOWARD L. HILL

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The Walters Family at the Turn of the Century

The scene is in the living room of a white two-story house near Leadvale, Tennessee. The John Milo Walters family occupies this home. There are seven in the family: the father, the mother, three sons and two daughters.

It is late afternoon of a Fall day and the children have all returned home, the small ones from school and the elder brothers from their work on the farm. The two elder boys have chopped wood and filled the woodbox on the back porch; the youngest boy has split kindling wood and filled the basket by the woodbox; water has been drawn from the well, and the buckets filled; one of the girls has trimmed the wicks and filled the lamps with kerosene, after brightly polishing the chimneys; the chickens have been fed around the back yard and are slowly seeking their roosts. The mother is preparing the evening meal with the help of the elder girl; the father is reading in front of the fireplace.

Soon, supper is announced and the family gathers around the dining room table, over which hangs a lamp with crystal drops around the rim. The father pauses a moment, then lowers his head; the family also assume the attitude of prayer. In a low, reverent voice, the father asks God's blessing on them and on the food they are about to consume. During the meal, the conversation is animated and lively, each one relating some happening of the day.

The evening progresses slowly; the smaller children are busy with their books, the elder children reading or

playing games. Then, bedtime approaches. The father draws his chair again to the table, and the children and their mother sit around while he reads a few passages from the Bible—a custom which has always existed in this family. Then the father kneels by his chair; the wife and the children also kneel. The father's voice is clear and strong; his prayer is not only for his family, but for all mankind—that they may dwell in peace and harmony, and remain steadfast in their belief in the goodness of God. After his "Amen", the family is quiet for a few moments; then life takes on its usual activity. Windows are lowered, lamps are turned down or extinguished, the cat and the dog are let out the back door, the fire is stirred, and, with happy goodnights, the children go up the stairs to their rooms.

John Milo Walters and his wife stand hand-in-hand in front of the dying fire. Their smiles are those of a happy couple, contented with life and proud of their children, confident of their future.

Then they retire to their room on the first floor. Through the window a few fireflies wink their on-and-off lanterns, a frog croaks hoarsely in the creek at the foot of the hill, a dog barks, a night-bird sings a few melodious notes, and then there is complete silence. Upon this household there settles a wonderful peace and serenity.

It was in such a place that the Walters children lived and grew up. It was a house where love and devotion existed between each and every member of the family; above all, it was a household where the benign influence of a God-fearing father and a saintly mother descended like a benediction on the young children, and that benediction remained with them all their lives.



The Rev. John Milo Walters
(1850 - 1934)
The Father of Herbert S. Walters

John Milo Walters

John Milo Walters, the father of Herbet S. Walters, was born three miles below New Market, Jefferson County, Tennessee, April 8, 1850. In 1865, when he was fifteen years of age, he was converted and joined the Union Baptist Church, which was established in 1838, in Greene County. This church was in existence, according to the records of the Nolachuckey Baptist Association until 1883, when all records of the congregation were lost and apparently the church went out of existence.

Two years after joining the Baptist church, John M. Walters was licensed to preach and in January, 1871, he was ordained to the full work of the ministry. He entered Union University, Murfreesboro, Tennessee, that same year, and continued as a student at the institution until it suspended in 1873. From that college he transferred to Bethel College, Russellville, Kentucky, and was graduated in 1875, with an A.B. Degree. From the same college he received his Masters Degree in 1878. He served as pastor in a number of Middle Tennessee locations, also serving the McGee Street Baptist Church in Knoxville, for three years.

On September 5, 1883, he was married to the former Lula Rhoda Franklin, at "Riverview," the home of I. W. R. Franklin, her father, on the French Broad River. Before the death of her father, Rev. and Mrs. Walters lived in "Riverview." Mrs. Walters died there September 1, 1927, and her husband John Milo Walters followed her in death November 4, 1934. They are buried in the Walters

lot in White Pine Evangelical Church of the United Brethren.

Rev. Walters was a Baptist minister for over sixty years, and his pastorates included a number of churches, particularly those which were members of the Nolachuckey Baptist Association. For twenty-five years he served as Clerk of the Association, and at the Centennial Anniversary, August 17, 1927, he was elected Moderator. The 103rd Annual session of the Association was held at the First Baptist Church, of Morristown, August 13, 1930, and it was at this session that Rev. Walters last appeared as Moderator.

John Milo Walters led a life of unselfish dedication to his church, his community and his family. He is remembered as a man who held the trust, the respect and the affection of every one with whom he came in contact, a great many of whom were not members of his own particular faith.

As an evidence of the important position Rev. Walters held in the Baptist Church of East Tennessee, we find the following information: Col. Thomas H. Reeves, who was the first President of the Morristown Board of Trade (now the Chamber of Commerce) was a devoted Baptist layman. He worked over a period of long years, tracing the establishment and development of the innumerable members of the Nolachuckey Baptist Association, the records of so many of them having been lost or destroyed. He finally wrote by hand, in remarkable Spencerian penmanship, a record of some 225 pages, the only authentic record of the Association. The record is incomplete, because of Col. Reeves' inability to obtain indisputable facts. On the fly-leaf of this record, Col. Reeves, on Nov. 14, 1923, made the following notation: "This little book of Data is now being sent by mail to Rev. J. M. Walters, White Pine, Tennessee, Route 2, Box 32, to be filed and kept with the Nolachuckey Association minutes." Rev. Walters was true to his trust, and the priceless little Book is now in the pos-

session of the First Baptist Church of Morristown.

Rev. John Milo Walters, on his Mother's side, was descended from Adam Meek, who was born in 1746 in Derby County, Ireland. He died July 8, 1828. He and his wife, Martha Wallace, of Charlotte, North Carolina, are both buried in Strawberry Plains, Tennessee. Their daughter, Sarah Meek, who died February 29, 1864, married Lemuel McBee, who died May 23, 1843. They, too, are buried in Strawberry Plains. Mary Ann McBee Walters, was born February 27, 1808, and died March 6, 1852. She was the mother of John Milo Walters. Mrs. William P. Woods, of Boxwood, Strawberry Plains, states that her mother, Elizabeth McBee, was a first cousin of Rev. Walters, and that he visited in her home many times, and informed her that her grandmother, Rachel Sawyers McBee, was the only mother he ever remembered—his own mother having died when he was an infant, and that he lived in her home until he was grown.

The Bridge across the arm of Douglas Lake between Cocke and Jefferson Counties is named in honor of John Milo Walters—"The Rev. J. M. Walters Bridge."

Lula Rhoda Franklin Walters

The mother of Herbert S. Walters was Lula Rhoda Franklin Walters, who was born December 29, 1858, and died September 1, 1927. She was married to the Rev. John Milo Walters, September 5, 1883, the officiating clergyman being the Rev. C. C. Brown, Pastor of Morristown's First Baptist Church from 1878 to 1883. Mrs. Walters, as were her sisters and brothers, was born in the beautiful mansion, "Riverview", now known as "Fairfax", the name chosen by the present owners, Mr. and Mrs. Thomas H. Berry. Mrs. Berry was the former Ellen McClung, of Knoxville. They have completely restored the mansion to its former beauty and grandeur; this will be discussed later in this book.

The following obituary notices appeared in the newspapers: *September 1, 1927.*

"Mrs. Lula Franklin Walters died in a Knoxville Sanitarium after a brief illness. She will be buried in White Pine. She is survived by her husband, Rev. John Milo Walters; two sons, John Milo Walters, Jr. of California and Herbert Sanford Walters of Morristown; one daughter, Mrs. Tracy Wilson Prater, of Knoxville; and two sisters: Mrs. L. F. Simpson, of Biloxie, Miss. and Mrs. Dora Carlisle, of Wake Forest, North Carolina."

November 14, 1934.

"The Rev. John Milo Walters, aged 84, who for 67 years has been a prominent Baptist minister of Tennessee, died at the home of his daughter, Mrs. T. W. Prater, in



Lula Rhoda Franklin Walters
(1858-1927)
The Mother of Herbert S. Walters

Knoxville, at 1 a.m. The body was brought to the home of his son, Herbert S. Walters, in Morristown. Rev. Walters has held pastorates in Knoxville, Morristown, Bulls Gap and other towns in East Tennessee, and for years has been active in Masonic circles. Besides his son and daughter, Rev. Walters is also survived by his son, John Milo Walters, Jr. of California. The Rev. Walters was born in Jefferson County, Tennessee, April 8, 1850, and was married to the former Lula Rhoda Franklin on September 5, 1883, who was also from Jefferson County, and who has been dead for seven years. Funeral services will be held Thursday at 11 a.m. at the White Pine Presbyterian Church (later the Evangelical Church of the United Brethren) conducted by the Rev. Arthur Fox, Rev. M. L. Clemens, and Dr. S. H. Hay. Burial will be in the church graveyard.”

The Walters Children

The children mentioned in the opening picture of family life at the turn of the century, were, of course, the Walters children, the third son of whom is the subject of this biography: Herbert Sanford Walters. The eldest son, John Milo Walters, Jr. was born in McMillan (Knox County), Tennessee, July 10, 1884, and today resides in Fullerton, California. The second son, Robert McBee Walters, was born in Leadvale, Tennessee, May 25, 1886. He died in Knoxville, January 28, 1909, at the age of twenty-three. He is buried in the same lot beside his Father and Mother, in the cemetery adjoining the Evangelical United Brethren Church, in White Pine, Tennessee. The third son, Herbert Sanford Walters, was born in Leadvale, November 17, 1891. These three sons lived with their parents in a large log cabin, to which was added several additions. The property was part of a bequest to Mrs. Walters from the estate of her father, Isaac White Rogers Franklin, of who we shall have much to write later in this volume. After a short time, the Walters family moved to a two-story white frame house near White Pine, not far distant from the ancestral Lawson D. Franklin mansion near Leadvale.

In this house were born both the daughters. Dorcas Franklin Walters was born September 9, 1893. On September 27, 1913, she married Howard W. Goodman. The officiating clergyman was Dr. Spencer Tunnell, the pastor of the First Baptist Church of Morristown. They were married in the ancestral I. W. R. Franklin mansion, "River-



Herbert S. Walters (upper left), at the probable age of ten or eleven, with a group of young, unidentified neighborhood playmates.

view," Mrs. Goodman died November 9, 1931, and is buried in the Walters lot in White Pine.

The second daughter, Elizabeth Franklin Walters, was born December 31, 1895. Dr. Spencer Tunnell also officiated at her marriage at "Riverview" to Tracy W. Prater, on October 13, 1915. Mr. Prater was a business associate of Herbert S. Walters, the subject of this biography. We will discuss this business association later. Mr. Prater died March 29, 1956 and Mrs. Prater resides in Concord; Kingston Pike, Knoxville.

The Fabulous Franklin Family

There is probably no family in this part of the South which has a more interesting and distinguished history than the Franklin Family. Lawson D. Franklin, who was the originator of the Family in East Tennessee, was the son of Owen Franklin who was born in 1780 in Virginia, and was a relative of Benjamin Franklin through the latter's brother, John Franklin. Owen Franklin married Betsy Roper in Rutledge, Virginia, where their son, Lawson D. Franklin was born January 19, 1801 (he died in Leadvale, Tennessee, April 8, 1861, at the age of sixty.)

From the records it appears that the Owen Franklins followed their son to Tennessee, since a brother of Betsy Roper Franklin, Col. John Roper, lived in Dandridge at the time he was associated with young Lawson D. Franklin in a complicated business arrangement. Herbert Walters has a number of original handwritten letters which passed between these two individuals. A number of the letters were mailed from Aberdeen, Mississippi, and were concerned with extensive cotton purchases, as well as a brisk trade in slaves. Thus it appears that Col. Roper, Lawson D. Franklin's uncle, was in a measure responsible for the foundation of the Franklin fortune, which, as the records show, reached a figure far in excess of a million dollars.

Lawson D. Franklin, who, as we see, was the great-grandfather of Herbert Walters, was one of the most unique characters in the history of Tennessee, particularly East Tennessee. Immediately after the American Revo-

lution, forebearers of Lawson D. Franklin took out land grants in what was eventually to become, first the State of Franklin, and then the State of Tennessee, which was admitted to the Union June 1, 1796.

A large portion of the land eventually owned by Lawson D. Franklin lay along the old French Broad River, now Douglas Lake, between Newport and Morristown, one tract being some twenty miles in length from Cocke County, through Jefferson County and into Hamblen County. The geographical center of this tract was located in Leadvale, Tennessee. The holdings were eventually extended to other sections of Tennessee and Kentucky, and to Mississippi, Alabama and Texas.

Lawson D. Franklin was what one might call a "Trader," since his business activities largely involved the accumulation of hogs, cattle, other livestock, and slaves! For instance, he would purchase great numbers of animals in Tennessee and Kentucky, and have them driven by the slaves on foot to South Carolina for disposal. If the market at a certain time was not auspicious, rather than take a loss, Mr. Franklin originated a plan which was the epitome of shrewdness: he would purchase a cotton plantation in South Carolina, have it worked by the slaves he had brought with him, fatten the hogs, for instance, and wait patiently until more prosperous conditions prevailed. He would then sell everything outright, including the plantation, and return to Tennessee to repeat the shrewd business venture.

Mr. Franklin operated two merchandising stores in and near Leadvale; one of these still stands on the original property where the old mansion is built. All the supplies were purchased in Baltimore and brought from that city by wagon. To stimulate and facilitate his mining interests in Leadvale, he extended the railroad from Morristown to Leadvale, at his own expense, eventually selling out to the railroad company which in time extended it to Paint Rock, North Carolina. It is now a part of the

Southern Railway System. He also expanded his interests by establishing a Bank in Rogersville, Tennessee. The Lawson D. Franklin Estate, at the time of his death, was valued, as we have mentioned, much in excess of a million dollars, thus establishing the fact that Lawson D. Franklin was the first millionaire in Tennessee.



The original mansion of Lawson D. Franklin (1801 - 1861), built around 1830 at Leadvale, Tennessee. He was the great-grandfather of Herbert S. Walters

The Original Lawson D. Franklin Mansion

The imposing Early American mansion which Lawson D. Franklin built for himself and his wife Elizabeth B. Franklin, still stands near Leadvale, facing what was once the beautiful French Broad River, now an arm of Douglas Lake. It is located a few hundred feet east of U.S. Highway 25, approximately a mile south of White Pine, Tennessee, between Morristown and Newport. It is presently owned by Mrs. W. D. Atchley, and is surrounded by only 409 acres—all that remains of the original thousands of acres.

In attempting to establish the date of the erection of the mansion we are inclined to believe it was between 1835 and 1840. The reason for the selection of these dates is because at that time Lawson D. Franklin was between thirty-five and forty years of age, having been born in 1801. By that time, as we have indicated, he had arrived at a responsible financial situation. In no magazine in which the mansion has been pictured is the actual date of its erection indicated, with the exception of a magnificent publication, now out of print, and which has become a collector's item, "Grandeur in Tennessee," by Gifford A. Cochran, published by J. J. Augustin Publishers, New York, in 1946. Mr. Cochran suggests that the date probably was 1815. This could not have been correct due to the fact that Lawson D. Franklin was only fourteen years of age at that time. We wish now to express our appreciation to Mr. Cochran for the original

picture used in his publication, which shows the old mansion in its simple, yet impressive dignity. A reproduction of the picture appears in the pages of this book.

The two-story mansion is built of red brick—hand-made by slaves, with walls eighteen inches thick, and contains some fourteen rooms, each with fifteen-foot ceilings. Ten of these rooms measure 20 by 30 feet, and two of them, 30 by 30 feet, these two being the drawing room on the first floor and the ballroom on the second floor. Both of these rooms are lighted by six windows facing east, west and north.

There are three other huge rooms on the first floor, one at the front of the house, probably a sort of living room. Back of that is a 20 by 30 reception hall, with an entrance from the south porch; back of that room is the dining room. The latter two rooms occupy the L part of the house which extends west. The bedrooms on the second floor are reached by an individual stairway—there are five stairways in the house, including the main stairway facing the east and principal entrance to the mansion. This entrance opens into a wide hall-way. At the present time there are two porches, one on the north side and the other on the south side of the mansion. The front entrance from a rather small porch does not appear as part of the original plan; it might have been a very narrow doorway, framed with the decorations popular at the time. Also, the north porch appears to have been added in later years. As a matter of statistics, there are five chimneys, each room having its huge fireplace; there are twelve fireplaces in the mansion. There are three halls on the second floor dividing the sleeping apartments, and in all there are forty-two windows in the house. In the basement there are four spacious rooms, some in a fairly normal state of preservation. Another L-section, parallel to the main house extends off the dining room and a small stairway connects that room with the kitchen and supply rooms, both being two-stories. The kitchen is a perfect

example of the room of that day where sumptuous meals were prepared for the guests who came from far and near to partake of the Franklin hospitality. The fireplace in the kitchen is of vast proportions and the original old cranes still extend over the andirons. The supply room is the same size as the kitchen, and the two rooms above were obviously reserved for the cook and the butler. The other slaves—and they numbered in the hundreds—occupied cabins on the place, most of which have not been preserved. Directly back of the mansion, but not connected with it, is a tall smokehouse, with a water tower at the top. It is perfectly preserved and intact. The original Franklin mansion is an almost perfect example of Early American architecture.

“Riverview”

“Riverview,” now known as “Fairfax” is closely connected with the subject of our biography, and we are inclined to dwell at some length upon its architectural beauty and charm. After sinking into a state of neglect over a period of years, the mansion was purchased in 1954 by Mr. and Mrs. Thomas H. Berry. Mrs. Berry was the former Ellen McClung, of Knoxville, and she and her husband occupied the elaborate McClung mansion, “Belcaro,” near Knoxville for some years. Mr. and Mrs. Berry have restored “Riverview” to its original elegance, and have changed the name to “Fairfax.”

“Riverview,” as we will still call it, was built by Lawson D. Franklin, around 1840—before he built “Bleak House” in Knoxville in 1851. He erected it for his son, I. W. R. Franklin, Sr., who lived there and eventually died there November 8, 1866, as a wedding gift to him and his wife, the former Dorcas Margraves, who had come to Leadvale to teach school. A romance developed between young Franklin, whose father, by this time had amassed a fortune of well over a million dollars, and the very attractive Miss Dorcas Margraves. Young I. W. R. Franklin was generally known as “Ike” Senior, as distinguished from his son, “Ike” Junior. I. W. R. Franklin, Sr. was a handsome, impetuous young man, with conspicuous red hair.

Many months went into the planning of the home for the young couple, and a noted architect from New



"Riverview", near White Pine, Tennessee, built around 1845, by Lawson D. Franklin, for his son, I. W. R. Franklin, the grandfather of Herbert S. Walters. Later the home of the Walters Family.

Orleans was selected to superintend the erection of the mansion. The site selected was some three miles from the original ancestral mansion of Lawson D. Franklin at Leadvale, on a promontory surrounded on three sides by the French Broad River, and it was appropriately named "Riverview." With the property, Lawson D. Franklin also gave his son many slaves, cattle, horses and carriages.

The architecture of the slave-made brick mansion followed a Greek adaptation, using pilasters on all four sides. Originally there were porches on each side, but these were later demolished. The mansion has three stories, with a "widow's walk" on the roof. A self-supporting, free-hanging stairway is one of the most interesting features of the mansion, and it ascends from the lower floor to the top. The brick walls are eighteen inches thick, and the partition walls inside are also of brick. The mansion was built by slave labor, but it was necessary to call in skilled specialists for finishing and decorating. It is recorded that over \$9,000—a goodly sum in those days—was spent for window glass and mantels alone.

The mansion has an unusual T-shaped hall with entrances on three sides. The ball room was on the second floor, and on the first floor were double parlors and a spacious dining room, all built for elaborate entertaining. Off the dining room is a detached kitchen with servants quarters above. After it was built, the mansion was extravagantly furnished, practically all the furnishings having been imported from Baltimore, Philadelphia and New York.

In their determination to restore "Riverview" (or "Fairfax," as they called it) to its original beauty and elegance, Mr. and Mrs. Berry obtained the assistance of the late James Reynolds, an Irish painter and a personal friend. In a book written by Mr. Reynolds in 1948, he described the mansion as one of the most beautiful old houses in the entire South; he insisted that it was one of the most outstanding examples of Palladian architecture

in the United States. He added, "severely handsome is the I. W. R. Franklin mansion in Jefferson County, Tennessee. This four-square cube has a stark, triumphant air of no nonsense from man or the elements. Six pilasters, moulding-capped, divide each side of the house into ascending panels in a curiously charming way. The house is brick, the pilasters are stucco, white-washed." Mr. Reynolds painted a mural which scales the walls and spills over on to the ceiling of the mansion's dramatic dining room. Italian villas and formal garden scenes are interlaced with lush greenery that corners brilliant cockatoos, romping dogs, and even a panel where corn-on-the-cob, strawberry clusters and split watermellons tell of America's plenty. The entire mural was done with very tiny brushes. Built in the early 1840's, the Walters family retained possession of the mansion which had been bequeathed to them, until 1940 when its remaining 450 acres and the mansion itself were subdivided and sold. Mr. and Mrs. Berry now own about 150 acres of the original Franklin Estate which contained many thousands of acres.



“Bleak House”, Kingston Pike, Knoxville, Tennessee, built in 1851 by Lawson D. Franklin, as a marriage gift to his daughter, Louisa Franklin, at the time of her marriage to Robert Houston Franklin. They were the great-aunt and great-uncle of Herbert S. Walters.

Knoxville's "Bleak House" Built by Lawson D. Franklin

During his life time, Lawson D. Franklin built three imposing mansions: the first one was the original mansion at Leadvale, near White Pine; the second one was "River-view" (or "Fairfax") which he built for his son Isaac White Rogers Franklin, on the French Broad River and which we have just described, also near White Pine. The third mansion he constructed was "Bleak House," which he gave to his daughter, Louisa, when she married Robert Houston Armstrong, in 1851. "Bleak House" is a magnificent example of ante-bellum architecture, on Kingston Pike, Knoxville, Tennessee. It is now the "Confederate Memorial Hall." The mansion was built by slave-labor, as was the custom in those days, who were sent from the Lawson estate at Leadvale, to bake the brick on the site and construct the high, thick walls. When it was completed, the young couple named it "Bleak House," for Charles Dickens' currently popular novel of that name.

From a brochure prepared by the present owners, The United Daughters of the Confederacy, we find the following interesting information: the mansion contains some fifteen spacious rooms and wide halls, with elaborately landscaped grounds, and it fronts some 250 feet on Kingston Pike and extends some 900 feet in terraced gardens down to Fort Loudon Lake. The house remained in the Armstrong family until 1906, when it was sold to Mr. and Mrs. John Scruggs Brown, who, in the early 'thirties, added a sun-parlor and some arches and terraces

which somewhat changed, but did not destroy the Victorian aspect of the mansion. In 1936 Mrs. Brown sold the mansion to Mr. and Mrs. Roy N. Lotspeich, and in 1959 Mrs. Lotspeich sold it to the Knoxville Chapter No. 89, United Daughters of the Confederacy for a Confederate Memorial, Museum and Chapter House. The organization was fortunate to secure the mansion for preservation because of its intimate association with the War Between the States, and also because it is such a fine example of Southern ante-bellum mansions, which are so rapidly vanishing from a great many areas of the South.

During the seige of Knoxville by the Confederates under General James Longstreet, November 16 to December 2, 1863, when he withdrew his forces from the area, "Bleak House" was the Headquarters of General Longstreet and his Staff. A first-hand account of the occupation and the fighting around her home was told in a letter written by Mrs. Louisa Armstrong and published in the September 27, 1898 issue of the Knoxville Journal and Tribune. She told how Longstreet had cannon placed on the front lawn, surrounded the house with pickets, and placed sharpshooters at the windows from which the enemy was plainly visible, especially from the tower windows. She said that the shot from one of the windows fatally wounded General William P. Sanders, and caused Union Artillery fire to be directed toward "Bleak House." A 20-pound shot that failed to explode, tore out a large section of the brick work on the north-east front room. Windows were broken and nearly every wall had bullet marks, and one sharpshooter was killed in the tower. As mute evidence today that soldiers were killed or wounded in the tower are crude portraits of three un-named Confederates drawn on one wall by an unknown soldier-artist who wrote under his pictures — "Men who were shot here." These strikingly different faces are remarkably well preserved after almost a hundred years. The tower, closed and the entrance sealed for many years, has been

re-opened, and a new stairway to it has been built. Much has been done toward restoring the mansion and grounds to their former grandeur and elegance. Walls have been painted in suitable colors, and handsome draperies provided for the windows. Many museum pieces of furniture have been purchased or donated by members of the Chapter and other friends. Historical pictures and books have been added, and the collection of War and early Southern-life relics is still small but constantly growing. A paved parking space has been provided on the east side of the mansion, and three of the terraces at the rear have been restored. The five terraces, each buttressed with a concrete wall, and with steps leading to the one below, were planned by Mrs. John Scruggs Brown, as well as the rest of the elaborate scheme of landscaping which includes concrete rose trellises, patios, tables, seats, urns, lily pools, bird baths, nymphs, fountains, etc., all adorned with shrubs and plants.

Back to "Reverview"

Referring back to "Riverview," since it is more closely connected with the members of the Walters Family in whom we are particularly interested, we should mention that four children were born to I. W. R. Franklin, Sr. and his wife: they were Elizabeth, Lula, I. W. R., Jr. and Lawson D., Jr., who was called "Little Doc," and who died at the age of three years. When Elizabeth was still an infant, her father rode to the home of his father, Lawson D. Franklin, to drive his brother, Robert O. Franklin, who had just returned from a trip to Europe, to see his young niece. As they drove through the woods, the horses shied at a falling leaf, ran away, and threw Robert, then twenty-nine years of age, from the carriage. He died instantly. Without a word, the brother, Ike, drew his gun and shot the horses dead. He then walked the two miles back to his father's home to report the accident.

A slightly different version of the tragedy was discovered in examining the May 21, 1858 issue of "The Religious Intelligencer," a weekly newspaper published in Morristown from 1858 to 1860, under the Editorship of the Rev. W. C. Graves. The accident was reported as follows: "Melancholy Accident — On Sunday evening last while R. O. and I. W. R. Franklin were returning from preaching in New Market in a buggy, the horses took fright and ran away at a rapid speed. While endeavoring to check the horses, Robert was thrown over the dashboard and dragged about three hundred yards, from the effects of which he



Issac White Rodgers Franklin and his wife Dorcas J. Margreaves Franklin. They were grandparents of Herbert S. Walters. The painting was done by a New York artist, Samuel M. Shaver.

died in about half an hour. Isaac was considerably bruised, and is laying very low; hopes are entertained for his recovery." This item definitely sets the date of the death of young Robert O. Franklin, as Sunday, March 16, 1858, which is verified by the engraving on his tombstone in Bethcar Graveyard, near Leadvale, Tennessee.

Three years later, tragedy again struck at the Franklin family. The partnership between Lawson D. Franklin and his son, I. W. R. Franklin, Sr., was suddenly terminated in the mysterious death of the father. It will never be explained, nor will the mystery ever be solved. He lived alone in the old mansion, after the death of his wife (April 22, 1846), with the exception of the house servants. He depended upon his negroes to run the house, particularly one old slave who was extremely unhappy, and whose sole thought was to get back to Mississippi, where she had been bought. It is known that she was more or less of a practical nurse, rare in those times, and she had a good knowledge of the value of herbs and other medicinal articles, and she knew about poisons! It was suspected, but never proven, that she administered some sort of poison in her master's milk, of which he daily consumed considerable quantities. At any rate, he died very suddenly. He is also buried at Bethcar, beside his wife. Here we might pause to recall something about Mrs. Lawson D. Franklin. Her epitaph gives a fair idea as to her character and the place she held in the affection and respect of her friends and neighbors. On the marble shaft over her grave is the following: "Sacred to memory of Elizabeth B. Franklin, Consort of Lawson D. Franklin; born 8th December, 1809; died 22nd April, 1846. She was a member of the Methodist Episcopal Church and in all her walks she adorned the Christian character. Her friends feel the deep assurance that her spirit rests with God. 'She trod the road to joys above, And with her God she dwells in love.' "

Upon the death of Lawson D. Franklin, his only son, I. W. R. Franklin, Sr. acceded to his father's interests.

His three sisters, wives of Dr. John Boyd, Rev. William Montgomery and Robert H. Armstrong, lived elsewhere. Ike, Sr. continued to live at "Riverview," and in some fashion he acquired the title of Major. Unlike his father, who was remembered as rather homely, Major Franklin was a handsome man, with his red hair, extremely courtly, and perfectly mannered, but with a sternness that could terrorize unruly slaves in order to hold them in check. The Major would have at times as many as a hundred and fifty slaves on the plantation. After his July and August crops were laid, he would follow the route traveled by his father; buying negroes and mules he would start out for the Carolinas, where he would sell them, disposing of all but his regular slaves. By the end of the year, he would be home again with enough slaves to plant spring crops. In the meantime, the Lawson D. Franklin Estate was being settled, beginning soon after his death in 1861, and throughout the War and for a considerable time afterwards, it was still in litigation. The slaves on the plantation remained, although they had ample opportunity to desert the place. There was one exception however; one deserting slave revealed the whereabouts of the only remaining horse on the plantation, which had been concealed in the smoke house. He also revealed the hiding place of his master, who was being sought by Union soldiers. As a result, Major Franklin was taken to Knoxville, where he was imprisoned, but he was soon released. All during this time, when the War was raging and afterwards, "Riverview" was subject to devastating pillaging, on the part of the "Carpetbaggers" as well as "Bushwackers," particularly the latter. "Bushwackers" were former friends and neighbors, but who took advantage of the deplorable situation to ransack and steal from their former acquaintances. They took everything of any value whatsoever, and at the end of the period following the War when the Northerners came down to rule the South, there was little left at

“Riverview”; all livestock, furnishings, silver, and of course all crops disappeared.

Major Ike Franklin, Sr., probably exhausted by his strenuous life and saddened by the gradual depletion of his huge estate, lived only one year after the War. He died November 8, 1866, at the age of thirty-nine, having been born December 27, 1827. Just eight months before his death, his only son, I. W. R. Franklin, Jr. had been born April 19, 1866, and the young son lived to be only twenty-three years of age, his death occurring December 20, 1889.

Besides his son, the other children of I. W. R. Franklin, Sr. and his wife, the former Dorcas Margraves, were Elizabeth (Carson) and Lula Rhoda (Walters). Some time after the death of her husband, Mrs. I. W. R. Franklin married Capt. C. E. Dunn. Lula Rhoda lived with her mother and her stepfather until her marriage in 1883 to John Milo Walters. Capt. Dunn operated the farm, “Riverview” until some time in 1878, when the children of I. W. R. Franklin filed a bill in court to partition the land. Mrs. Dunn was left one part during her life-time. One share was left to Lula Rhoda, and her sister, Elizabeth Franklin Carson sold her interest in the estate to Mrs. Walters. Rev. and Mrs. Walters lived in the old mansion until her death in 1927. Of their five children, John Milo, Jr. moved to California where he still lives; Robert McBee died in 1909; Herbert, the subject of this biography, resides in Morristown; Dorcas Walters Goodman died in 1931; and Elizabeth Franklin Walters Prater lives in Knoxville. Rev. and Mrs. Walters, their son, Robert, and their daughter, Dorcas Goodman, are buried in the family lot in White Pine Evangelical United Brethren Church Cemetery.

*Administrator's Report
Of the Lawson D. Franklin Estate*

The Administration Book for the settlement of the Lawson D. Franklin Estate is one of the most fascinating legal documents in the history of Tennessee. The original hand-written report of nearly five hundred pages, is in the possession of Herbert Walters. The time involved extended from the year, 1861, when Lawson D. Franklin died, to 1879, being filed of July 14th, of that year. Mr. Franklin, in contradiction to his usual, innately shrewd business acumen, died intestate. He left no will whatsoever, and the four children, because of the size of the Estate and the extremely complicated partnerships involved, as well as the many diversified interests, contracted with Franklin W. Taylor, of Russellville, Tennessee, to administer the Estate, without fee or bond, and Robert M. Barton, of Morristown, to act as Attorney. The odd situation surrounding Mr. Franklin's unexpected and sudden death, may have had something to do with the delinquency in making a Last Will and Testament. The opening paragraphs of the Administration Book afford an excellent example of the manner in which a complicated Estate was handled and settled in the days around 1879. Believing it will be of considerable interest to those who read this book, we make the following quotations:

“Article of agreement made and entered into by and between I. W. R. Franklin of Jefferson County, Tennessee; W. A. Montgomery and Caroline Montgomery of Washington County, Texas; R. H. Armstrong and S. A. L. Arm-

strong, of Knox County, Tennessee; and John M. Boyd and J. June Boyd of Knox County, Tennessee. The said I. W. R. Franklin, Caroline Franklin E. Montgomery, S. A. L. Armstrong and J. June Boyd being the children and heirs-at-law of L. D. Franklin, deceased, and together with the said R. H. Armstrong, W. A. Montgomery and John H. Boyd the distributors of the estate of said L. D. Franklin all being of lawful age of 21 years and also by and between the affairs of said parties as heirs at law and distributors of said L. D. Franklin Estate and F. W. Taylor, of Jefferson County, Tennessee.

Witnesseth that Whereas the said L. D. Franklin, departed this life intestate in Jefferson County, Tennessee seized and possessed of a very large estate consisting of realty and personalty lying and being situate in said county of Jefferson and the State of Tennessee, in other counties of Tennessee and in other states said L. D. Franklin, having been largely engaged in trades and leaving several unsettled partnerships of much unsettled business. Whereas it is deemed of the utmost importance to the heirs and distributtes that the affairs of said Estate shall be wound up in as economical and speedy manner as possible and there being no minor children or heirs whose interests are involved, for the purpose of saving time and expense in the settlement of the estate and to preserve the kind feeling that have hitherto marked the intercourse of the family in the heirs and distributtes as aforesaid, covenant and agree to and with each other and to and with said F. W. Taylor, that said Estate shall be closed and settled in pursuance of and under and by virtue of the following provisions and articles of agreement, 1st, said Estate shall be settled and distributed under and in accordance with the provisions of the laws of Tennessee, regulating the descent and distribution of intestates estates except when expressly changed by the provisions of this instrument, 2nd, immediately upon letters of administration being granted the Administrator assisted by his counsel, shall proceed to make out

and file a full and complete inventory of all the assets of the Estate which inventory he shall spread at large in a book which he shall open for the purpose of recording every transaction with the Administration, which book shall at all times be kept by him open for inspection by the parties to this instrument. 3rd, Said Administrator shall as soon after the grant of letters of administration as possible cause the real estate to be divided so as to divide the same into four equal parts of as nearly equal value as may be by commissioners one of whom shall be chosen by each of the heirs or their husbands and a surveyor to be chosen by the administrator with the advice and approval of his counsel, said commissioners shall be sworn and in the absence of the parties after having the views of all, fix a cash value on each separate lot of land so laid off, and furnish the administrator and counsel with the assessed value, of each lot or farm in doing which said commissioners will exclude the value of the buildings put upon the land held in possession of I. W. R. Franklin, and shall estimate their value separately if upon the lands of the estate. 4th, Said administrator shall also cause a full and complete list of all the slaves belonging to said estate now in Tennessee, or elsewhere shall cause each negro to be valued by five disinterested persons, one to be chosen by each distributee and one to be chosen by himself with the approval of his counsel, said slaves shall be valued at a fair cash value and the value of each slave shall be affixed to his or her name and so reported by the commissioners to the said administrator and counsel without permitting any other party or persons to know the value assessed upon any slave, said commissioner is acting under oath. 5th, After the lands and slaves have been valued as aforesaid, the Administrator shall cause the heirs or their husbands to draw for the lots of land, they agreeing in such manner as they may choose as to who shall have first choice, second choice, third choice and fourth choice, giving I. W. R. Franklin the right to decline drawing, should he elect

so to do and take the on which his improvements may stand or which lie adjacent to his improvements.

When each one of the heirs or their husbands shall have drawn one lot of land and shall be charged with the value assessed the administrator shall then, if there be more than four lots of land, direct the heir who has drawn the least valuable land, to draw again from the remaining lots and so continue until all the lands are divided making as nearly an equal division of the real estate as possible charging each heir with the value of their lands so drawn. 6th, The administrator shall then present to the distributees the list of slaves grouping together the several families and cause each distributee to draw each a family, they determining who shall have the first, second, third and fourth draw, the negroes so drawn shall be charged with their assessed value and the administrator shall then without letting the parties or any other person know the value of the slaves so drawn direct the party having the least valuable lot to draw again and so continue until all the families shall have been disposed of and then the administrator shall present the remaining list of negroes and direct the parties whose aggregate lot of negroes drawn as aforesaid is known to him to be the least valuable to draw and so continue the drawing until all of said slaves are disposed of, thus making as nearly as may be an equal division of the slaves. 7th, The administrator shall then select three men out of those chosen by the parties to partition and value the land and negroes, who shall hear all the proof the parties may advance as to the values of advancements that may have been made to either party who shall under instructions given by the counsel hereinafter mentioned as to what shall be considered an advancement and the rules governing their value, proceed to fix the values of the advancements made to each and report to the administrator who shall charge each party with the advancements so fixed in ascertaining the character and value of advancements, either party may

examine any and all of the other parties on oath. 8th, Said F. W. Taylor is hereby authorized and empowered as our attorney in fact to execute deeds of conveyance for the lands laid off and assigned to each party respectively in doing which he shall vest the title as the same would vest by partition by order of court under the statute for the parties hereby releasing our joint title to said land and vesting the same in said F. W. Taylor for the purpose of conveying the same as aforesaid and hereby authorizing and empowering him for and in behalf of the heirs at law of the said L. D. Franklin, to convey each separate lot of parcel of land to the party to whom it may be assigned with general warranty of title. 9th, We the distributees hereby relinquish our joint title and interest in and to said slaves and by these presents authorize and empower F. W. Taylor to make bills of sale warranting the titles to the slaves drawn and assigned to each distributee as aforesaid which deeds and bills of sale so executed together with this instrument when proven and registered according to law shall constitute full and sufficient muniments of title to said lands and slaves. 10th, The administrator assisted by his counsel shall after the lands and negroes shall have been divided and the advancements collected and charged, make out a report showing how much each one is charged with and what balances are due to each to make all precisely equal in the division and distribution of the Estate which balances shall constitute a debt, due from the estate on which interest at the rate of six percent per annum shall be computed. 11th, The division of the lands and negroes as aforesaid shall be immediately made and the title vested but the lands and negroes shall remain as at present until the harvesting of the present crop, which shall be for the use and benefit of the general Estate and the administrator shall have the slaves worked and the farms conducted in the same manner as it was done prior to the death of the said L. D. Franklin having as near as may be the same care and at-

tention paid to the health and comfort of the slaves and the preservation of the property. 12th, As soon as the crop can be disposed of which shall be done at an early a date as possible the administrator shall notify the parties who shall at once take possession of their lands and negroes and all personal property shall be immediately sold, as well as all other property not previously disposed of. 13th, The administrator is hereby authorized and empowered to close and settle all partnerships transactions in which said L. D. Franklin may have been engaged in closing which he may by the advice of his counsel submit any questions that may arise to the arbitrament and award of parties to be chosen for that purpose by the administrator and counsel provided that in all cases involving sums of over five hundred dollars the written consent of I. W. R. Franklin, R. H. Armstrong and John M. Boyd or some of three of them shall be obtained. 14th, Said administrator shall as soon as practicable proceed to Mississippi and under the provisions of this instrument, he shall with the advice and assistance of his counsel take a full and complete inventory of the property and assets of said estate and record the same in administrator's book, he shall settle and close the partnership transactions in said estate and make such temporary disposition of the negroes as may fall to the estate, as in his judgement shall be necessary to train and protect them until they shall be divided in the mode provided for in the fourth article of this agreement for the division of the Tennessee negroes, which division shall take place as soon as practicable and at the time and place that shall be selected and notified in writing by any three of the distributees due and ample notice of the time and place. 15th, The administration shall proceed immediately to collect or secure the debts due the state and out of the proceed first pay and discharge all just debts and liabilities of the estate and the expenses of the administration as they may have occurred and secondly equalize the heirs and distributees of the estate by

paying the balances found due with all occurring interest as proved under Article 10th of this agreement, and ever after as fast as the assets shall come to his hands pay over the same in equal portions to the distributees or to the personal representatives of such as may be taking their receipts therefore and if the said Caroline E. Montgomery, S. A. L. Armstrong and J. June Boyd do by these presents empower, authorize and direct F. W. Taylor, administrator as aforesaid to pay over to our respective husbands or their authorized attorneys the distributive portion of said estate coming to us, the receipt of our said husbands, or their authorized agents or attorneys being a good and valid voucher from us as if we were separately examining touching the executive of each receipt. 16th, Said F. W. Taylor shall with the assistance of his counsel make out a full and complete report of the property of the administration of the estate every six months, which report shall be filed with the clerk of the county court of Jefferson County, Tennessee and copied in full upon the administration book, for the inspection of all parties in interest. In making said semi-annual report, said F. W. Taylor shall not be required to restate specific facts included in any former report, but may refer to such former report for the items and stating the result proceed to sit on the progress of the business thus giving a continuous and truthful account of the administration. 17th, In the administration book said F. W. Taylor shall keep separate and distinct account for each of the various branches of the business so as to show as near as possible the precise conditions of each department, that is an account with each heir and distributee an expense farm account, account of the Mississippi business showing as clearly as it can be done the condition of each separate transaction of the general business. 18th, Should there be any real estate which the heirs desire to sell said F. W. Taylor is hereby vested with full power and authority upon being requested so to do in writing by said I. W. R. Franklin,

W. A. Montgomery, R. H. Armstrong and John M. Boyd, to sell said real estate at such time and place as may be agreed upon and prescribed in said written request, and said F. W. Taylor is by these presents fully authorized and empowered to make the purchasers deeds with General Warranty therefore in which events the real estate so desired to be sold shall not be included in the division of the lands provided for in 3rd and 5th Articles of this agreement. 19th, Said F. W. Taylor shall in all cases when necessary medical aid for the slaves and in all respects provide for them divided and surrendered to the possession of the distributees in the same human manner that they have been provided for by said L. D. Franklin in his life time. 20th, Said administrator, F. W. Taylor shall give his time and attention to said administration and with his counsel, Robert M. Barton, who shall also give his time and attention to the business of said estate, use every effort to close the entire business of said estate in two years from the Grant of letters to administration, and shall at that time represent and file as aforesaid a report showing the condition of the entire administration specifying what business if any shall be unsettled and the causes which have prevented its being closed. 21st, At the close of the two years the remaining assets uncollected shall be divided among the distributees in the same manner provided for in the division of the negroes under Article 4th, that is to say the division shall be made by men chosen as provided in the 4th Article and the assets shall be surrendered over by the administrator to the distributees who shall give to him good sufficient refunding bonds to indemnify and protect him from all loss on account of claims or debts that may thereafter come against the estate unless by consent of all parties the administration shall be continued for a longer time under the provisions of this agreement upon such terms as may be agreed upon. 22nd, The condition of said estate beginning a prompt and vigorous administration it is agreed that said F. W. Taylor as admin-

istrator and said R. M. Barton as counsel for the Estate shall give their entire attention if necessary to the business of the estate for the period of two years as aforesaid shall use every exertion in their power to protect and secure the interest of said estate and close the same in two years if possible, and for their services they shall receive out of the assets of the estate exclusive of all necessary expenses the compensation fixed and agreed upon by the parties and evidenced by an instrument of writing in their possession the amount of which shall be included in the final report of the administration. 23rd, Should the said F. W. Taylor as administration and R. M. Barton as counsel fail to make out a file the semi-annual report herein before provided for within one month after the expiration of the time fixed by the instrument for filing the same then they shall each forfeit two thousand dollars for each failure to be accounted for and paid to the estate unless such failure on their part shall be clearly shown to have been caused by the events over which they have no control. 24th, For the faithful compliance with the foregoing provisions it is agreed by and between the undersigned heirs and distributees that they will each make out and furnish F. W. Taylor administrator a full and complete statement of all advancements that may have been made to them by their father in his life-time and it is further agreed that we will in all respects faithfully and honestly carry out the provisions of these articles of agreement and abide by the decisions to be made by the commissioners and referees to be chosen in pursuance thereof, and we do covenant to and with each other that in default of such compliance and faithfully carrying out each of the provisions of this instrument that the party or parties so refusing to comply shall be charged with the entire expense of the administration and that the administrator shall charge same to his or their account or accounts and proceed to distribute the estate treating such charges as so much cash actually paid to such party or parties. 25th,

And to prevent if possible any chance of litigation to grow out of the closing of said administration between the undersigned it is agreed and we hereby bind ourselves, our heirs and our personal representatives to submit any question that may arise under the 24th Article of this agreement to the arbitrament and award of five disinterested persons one to be chosen by or in behalf of each distributee and one to be chosen by the four so chosen by the distributees said arbitrators shall be sworn and having heard all the proof that may be advanced and examining either or all parties on oath if desired they shall decide the matter submitted for their own termination under law laid down by the counsel for the estate and make their award in writing and file the same with F. W. Taylor the administrator who shall spread the same on his administration book. The convenience of three of the arbitrators so chosen shall be sufficient and their award shall be conclusive and final and for the faithful performance of these provisions and stipulations of this 25th Article we bind ourselves each to the other in the penal sum of fifty thousand dollars to be sued for and recovered in any court of record in Tennessee or any other State. 26th, After payment of the debts and liabilities of the estate and equalizing of the distributees as herein before provided for, it is by these presents made obligatory upon the administration to pay over to the distributees as provided for in the 15th section Article of this agreement whenever he shall have in his hand as much as two thousand dollars and the distributees shall be required to receive same. 27th, It is agreed that in the division of the negroes as provided under the 4th and the 6th Articles of this agreement, W. R. Montgomery, R. H. Armstrong shall before the drawing is commenced elect to retain the slaves in their possession if they choose to do so. To which event, they shall be charged with their assessed value as provided in said section of the drawing conducted as therein provided. 28th, In the event of the death of said R. M. Barton the dis-

tributees shall employ a competent counsel to fill his place who shall under the provisions of this instrument proceed to discharge the duties of the counsel of the estate under the same restrictions imposed on said R. M. Barton, and in the event of the death of said F. W. Taylor the distributees shall select a successor who shall take out letters of administration and under the stipulation of this agreement and associated with the said R. M. Barton or his successor proceed with the administration as herein provided said parties to receive such compensation as shall be agreed upon. 29th, In the life time of the said L. D. Franklin he said to his sons-in-law R. H. Armstrong and John M. Boyd at the time of their respective marriages that as they were not situated to use land or negroes to the same extent that his other children were, he would set apart as an advancement to them twenty-five thousand dollars each in cash but as he could use the capital to a better advantage than they could he would not pay over the money but account to them daily for the interest, no written evidence of this purpose exists but being satisfied with the fact, we the distributees agree that in the administration of the estate the administrator shall account to said Armstrong and Boyd each for the fifteen hundred will as per year being the interest on said sum of twenty-five thousand dollars from the date of their respective marriages until the slaves of the said surrendered to the distributees as herein provided for in the same manner as if the said Franklin had executed his notes to them for each year's interest but said sum of twenty-five thousand dollars not having actually been advanced the same is not to be treated by the administrator as an advancement and is only here mentioned as showing why the fifteen hundred dollars each per year is to be paid said Armstrong holds two notes on said L. D. Franklin which was given in pursuance of his said purpose and to be settled in said interest account and not as separate debts, it is further agreed that the slaves belonging to the estate now in the possession of Montgomery and other distribu-

tees shall so remain until the time agreed upon for the surrender of the negroes as herein before provided for and that they them as they have heretofore held them as regards him and in the division of the lands it is agreed that the commissioners shall as near as may be divided the bottom lands equal in value between the four heirs.

Signed:

Said I. W. R. Franklin
W. A. Montgomery
C. E. Montgomery
R. H. Armstrong
S. A. L. Armstrong
Jno. M. Boyd
J. J. Boyd
Franklin W. Taylor

Executed and Delivered
This deed in our presence
this 25th day of May, 1861
Signed G. L. Moore
R. A. Lyle

Witnesses as to J. J. Boyd and S. A. L. Armstrong
Signed C. W. Jones
W. Craig

I accept the position assigned me in the foregoing instrument and bind myself to perform the duties therein assigned me

(signed) Rob't M. Barton

Also is included in this court procedure the following item:

Wm. Craig

State of Tennessee

Knox County

Personally appeared before me Wm. Craig, Clerk of the County Court of said County S. A. L. Armstrong and J. J. Boyd, with whom I am personally acquainted and being examined by me privately and apart from their husbands

R. H. Armstrong and Jno. M. Boyd, acknowledged the execution of the foregoing instrument to have been done by them freely, voluntarily, and understandingly without compulsion and constraint from the said husbands and for the purpose therein expressed Witness my hand at office in Knoxville, this 27th day of May, 1861

Signed Wm. Craig, Clerk

Legal Phraseology of Victorian Era

The Administration Book, written by the Administrator, F. W. Taylor, of the settlement of the million-dollar Estate of Lawson D. Franklin is one of the most fascinating and longest legal documents of its kind in the history of Tennessee. This court record extended over a period of time from 1861, the year of the death of Lawson D. Franklin to 1879, when the Report was filed. The Administrator's Book consists of 476 handwritten pages and contains some intriguing items and records which are of extreme interest. As has been reported, Lawson D. Franklin, in contrast to his innately shrewd business acumen, died intestate, leaving no will whatsoever. His children, because of the size of the Estate and the extremely complicated partnerships and business activities involved, entered into a contract with Franklin W. Taylor, of Russellville, Tennessee to act as Administrator of the Estate without Bond and Robert M. Barton, of Morristown, Tennessee, to act as Attorney.

Disposition of Slaves

One of the interesting items in the Report was the manner in which certain Slaves were divided among the heirs. The total value of the Slaves was approximately \$104,720.00.

A Commission was appointed by the Court to value the Slaves in the possession of the Estate. This Commission was composed of John Rooney, Stephen Huff, W. A. Moore, T. J. Gorman and O. R. Watkins. Each of the four heirs-at-law was given permission to appoint one individual, the same privilege being extended to the Administrator. This Court Order was dated May 30, 1861. On May 31, 1861, an agreement was reached to permit J. M. Boyd, the husband of June J. Franklin Boyd to select certain slaves to whom she was apparently attached. The agreement says in part: *“I, in the life time of my father, L. D. Franklin, his daughter, J. June Boyd, has selected as slaves that she desired, which slaves were to have been placed in her possession so soon as she and her husband, John M. Boyd, should go to housekeeping. To wit: Tom and his wife Matilda and their children Jane, Billy and Lucy, brother and sisters and Dell. It is therefore agreed by and between the undersigned that the Administrator, F. W. Taylor, should govern said slaves together as a family or class and present the list under the Articles of agreement heretofore entered into with said slaves so grouped as one family, and we agree that John M. Boyd in right of his wife shall have the right*

to elect, to take said group or class of slaves in the same manner to R. H. Armstrong and W. A. Montgomery have to elect to take the slaves placed in their possession by said L. D. Franklin in his life time under the Articles of agreement entered into by the heirs and distributees of said Franklin Estate for the division of the lands and slaves, May 31, 1861. Signed by W. A. Montgomery, R. H. Armstrong and I. W. R. Franklin, and attested by G. L. Moore and Cid. R. Rogers.

The Commission appointed to value the slaves in the Franklin Estate listed individually and by name, the one hundred and forty-seven slaves who were attached to that part of the Estate in Leadvale, Tennessee. It does not seem to include the slaves in the possession of Wm. A. Montgomery and his wife in Texas, nor those owned by Mr. and Mrs. R. H. Armstrong. Like chattels or merchandise, the names of the slaves were listed, with a full description as to rank, age, color and value. As an example, a slave named Reuben was ranked "A"; he was thirty-one years of age, copper in color and valued at \$1,025.00. A female slave named Margaret was classified as "A" in rank, twenty years of age, copper in color and valued at \$1,000.00. Looking down the list we find an infant "Baby," who at three weeks of age at the time of the inventory, was classified as black in color, and valued at \$150.00. The value of a number of the slaves was largely dependent upon their importance in the actual operation of the property. We find a slave named John who was a blacksmith, valued at \$1,400.00, the highest valuation listed. Edmond, age forty, was valued at \$1,300.00. There were a number of young males ranging in age from nine years to thirty-five years, averaging in value around \$1,000.00. The value of the young females ranged from \$500.00 to \$1,000.00. We find that two of this sex, named Hannah and Sally, who were thirty-five years of age were each valued at \$1,300.00. We also find in the list one male and one female slave, who at the age of sixty-five, were

not valued at all.

The Committee appointed to value the slaves, must have been experts on the subject of "pigmentation," as they list the following colors or shades in their description of the slaves: black, copper, mulatto, yellow and brown.

The names of the slaves were interesting. Many followed the usual run of names: John, William, Peter, Henry and Mary, Margaret, Jenny, Ada, Susan, etc. However, we also find some very picturesque and odd names, such as Hamit, Jim Forbiam, Tempy, Calvin, Campbell, Napoleon, etc. Female names were equally unusual: Fobitha, Dorthula, Sucky, Clemintina, Letitia, etc.

From good authority it is found that there was an unusual situation of humanity in the disposition of the slaves. Many came from Mississippi and from Tennessee. They were interchanged back and forth between the Franklin property in both States. When the Estate was settled Mr. Taylor, the Administrator, discovered which slaves were from the two States, and those from Mississippi were allowed the "privilege" of being sold in their native State if they wished. The same plan was adopted for those Tennessee slaves who had worked in Mississippi. Mr. Taylor sent a train-car load of the Mississippi slaves to that State to be auctioned, and then loaded the train with the Tennessee slaves who wished to be sold in that State.

Monetary Bequests

Another interesting item is the manner in which each Heir was given exactly the same monetary bequest: for instance, the 13th day of June, 1861, certain sums had been advanced to the heirs. It is recorded in this manner: W. A. Montgomery is charged with \$62,060.06; I. W. R. Franklin is charged with \$59,338.06; R. H. Armstrong is charged with \$58,872.06; and John Boyd is charged with \$53,127.56. Therefore to make each equal with Montgomery, then is due I. W. R. Franklin the sum of \$2,722.00; R. H. Armstrong the sum of \$3,188.00; J. M. Boyd the sum of \$8,932.44

At the time it was filed the Lawson D. Franklin Estate held hundreds of Notes, listed as "supposed to be good," amounting to \$175,519.81. The Record also shows a list of "doubtful" and "desperate" notes, amounting to \$3,659.77, which is evidence of the judgement and shrewdness with which Mr. Franklin made personal loans. There is also included in the Report, a list of so-called "Judgements" most of which were considered "good," but there was also a number considered "doubtful" and "desperate."

Inventory of Assets, Personalty

It would take endless pages to list separately and individually the assets and personalty of the huge Lawson D. Franklin Estate, but the mention of some of them makes most interesting reading. The list shows also the meticulous manner in which Mr. Taylor listed the items to be divided among the four heirs, although the list is indiscriminate and the items listed without regard to type or in any continuous manner. The inventory begins with the number of farm animals: thirty-two cows, calves and heifers, three bulls, two oxen, and twenty-nine stock cattle. There were eight horses and four colts; sixty-six mules and two mule colts; sixty sheep and twenty lambs; two small burros and three hundred and forty hogs. Then followed the enumeration of twenty-five hundred bushels of corn; one lot of bacon perhaps 3,000 pounds; followed by another lot of bacon of some 5,000 pounds. There was an estimated three tons of hay, approximately 100,000 bricks, some 700 to 750 pounds of iron, 300 pounds of soap and 1200 pounds of lard, two barrels of vinegar and a barrel of salt. There follows an interminable list of farm machinery and implements such as bull tongue plows, grind stones, hoes, cutting knives, seven mattocks and twenty-two single trees, one thresher, scythes, cradles, augers, axes, and one barrel of train oil, perhaps thirty gallons. Oddly enough the list continues without regard to articles of a similar type: for instance, the list goes on, and this is verbatim: 1 lot cloth and spun yarn, one family carriage

and harness, one double buggy with top and harness, one wheel barrow, spades, shovels, wash tubs and washtub fixtures. Then follows what probably was table and kitchen utensils for the slaves and farm hands: two dinner pots, two lids, two buckets, pitchers, five dishes, two small pickle dishes, 1 set cup and saucer, ten odd china cups and saucers, etc.

The Report then lists such things as one brass kettle, one keg molasses, two sacks flour, one demijug, one jug, one large tin can, one kitchen table, two dining tables, one dozen large silver spoons, one dozen tea spoons, silver, two dozen forks, silver, two butter knives, one sugar tong, 10 Gorman silver spoons, one dozen soup plates, one doz. dining plates, two large dishes, one dozen breakfast plates, three deep dishes, one tureen, one doz. tumblers, assorted, one doz. goblets, cup plates, cake plates, one doz. knives and forks, 1 set carvers, nine breakfast knives, twelve forks, one gravy dish, one molasses can, one china bowl, two sugar bowls: then immediately follows this list — part of sack of coffee, half bowl sugar, half bowl of loaf sugar, small lot of blackberry cordial, four fruit stands, two slop bowls, large, one silver sactor, two decanters, set tableware, one wood clock, two doz. pairs of napkins, thirteen table cloths, six salt cellars, twenty-eight chairs, split bottom, six chairs cane bottom, two rocking chairs, eight mahogany parlor chairs, seven small tables, five bowls and pitchers, four soap boxes, six spittoons, one glass lamp, four vases, seven pair sad irons, two shovel tongs brass head, three shovel and tongs common, one sofa, one bookcase, fifty or sixty books, two doz. towels, eleven beds and steads and furniture, spy glass, two half tables, one falling leaf table, seven carpets, one lot cotton, perhaps 150 pounds, one map of old government, four wash stands, four dressing tables, one bureau with looking glass, two small bureaus, one water cooler, four water buckets, five hearth rugs, seven fire screens, one stair carpet, fourteen window shades, eighteen or twenty window curtains, two

divans, one piano forte, cover and stool, one center table, four hand bills, assorted, two lounges, common, six brass candle sticks, two plated brass candle sticks, one large family press, old, and one pair snuffers. It must have been difficult to dispose with any degree of system such an odd array of household articles.

However, the complicated Estate was finally settled, and, as we have stated, the Administrator's Report was filed July 14, 1879, at the Jefferson County Court House, in Dandridge, Tennessee.

BUSINESS ACTIVITIES OF
HERBERT WALTERS

*Herbert Walters Begins
Business Life at an Early Age*

When Herbert Walters was around sixteen years of age, his parents sent him first, to Baker-Himmell School in Knoxville, and then to Castle Heights School, in Lebanon, Tennessee. However, his attendance at the school was short-lived. He began to realize that the situation at "Riverview" where his father and mother were struggling to keep up the huge, pretentious home, was a particularly unhappy one, financially speaking. On a meagre Baptist preacher's salary it was extremely difficult to meet the expenses of the household. In spite of the million-dollar estate of Herbert Walters' great-grandfather, Lawson D. Frankin, there was little left except real estate, and the value of that had shrunk piteously. The War Between the States had had a devastating effect on the property of Mr. Frankin; because of pillaging, thievery and sheer destructiveness on the part of the soldiers of both Armies, the house and its surrounding area was a shambling wilderness. The condition of the property forced Rev. Walters and his wife to make tremendous sacrifices to keep the place intact. However, they managed for a time to send the children to school. But the discovery of the plight of his parents, forced young Walters to leave school and go to work, in order to help his parents.

His older brother, John Milo Walters, Jr. at the time was working for the Chicago, Milwaukee & St. Paul Railroad whose headquarters were in Milwaukee. His younger brother, Herbert, joined him. He had saved enough money



Herbert S. Walters (right), at the age of seventeen, with his brother John Milon Walters, Jr.

from his work on the old homeplace, to pay his railroad fare. And so, with a young companion by the name of Buckner, he arrived in Milwaukee and was able to get a job as an "axeman" in the railroad survey crew in Northern Michigan. His initial salary was \$50.00 a month, and out of this munificent sum he was able to send some \$20.00 to \$30.00 a month to his parents in order to help them and to help in the expense of his younger sister's education. The work in Northern Michigan was making a survey of a proposed route from Crystal Falls, Michigan to Iron River, Michigan.

There is an interesting story in connection with Herbert Walters' first job. His energy, his determination and his enthusiasm were such that when he had completed a certain assignment he would approach other members of the crew and ask them "Can I he'p you?" Every individual who lives south of the Mason and Dixon Line knows that the common use of the word "help" is "he'p." So repeatedly did young Walters offer his assistance to his co-workers, that in a very short time he was generally known as "Hep Walters." It appears that in his later life, the same desire to be of assistance to others is persistently present.

When the work discussed here was practically finished, the railroad had to make a reduction in its construction forces and Herbert Walters, being one of the more recent employees, was laid off. He then went to work for the Illinois Central Railroad out of the Chicago office. After a few months working in the office he was sent to Fulton, Kentucky, a District Maintenance Office, to do maintenance work for the section between Cairo, Illinois and Memphis, Tennessee. After several months there, he was promoted to a better position on the Y.M.V. Railroad which was owned by the Illinois Central Railroad Company. He was stationed at Greenville, Mississippi with the District Maintenance Office doing work between Kohoman and Vickburg, Mississippi.

In 1915, Herbert Walters, anxious to complete his education, resigned, and entered the University of Tennessee to study agriculture and engineering. However, after six months, he found that both of his parents were in ill health and in financial straits. He returned to the homeplace "Riverview" in order to alleviate the situation. After a year on the farm he found that he must increase the income considerably in order to pay off a mortgage, which had been placed on the farm in order to educate the Walters children. Herbert Walters then began trading in livestock and farm produce in partnership with J. L. Harrison who lived in White Pine, Tennessee. This partnership continued until about 1920 when a partnership was formed by including Tracy W. Prater, Sr. (his brother-in-law) under the name "Harrison, Walters and Prater." The firm started road construction as sub-contractor with R. L. Peters, of Knoxville. The first year the new firm was engaged in the building of a road from Coal Creek, Tennessee to Vasper, which is now Lake City. Thus began the construction work of the firm which is now Walters & Prater, Inc.

The business activities of Herbert Walters, over a long period of years, have been connected largely with the firm of Walters & Prater, Inc., Contractors. The Company has constructed roads and highways in Virginia, South Carolina, North Carolina and Tennessee. All the highway contracts which have been completed by the Company were all let on a competitive bid basis. The firm has never, in its entire existence, received any favors whatsoever, because of the political associations of Herbert Walters. As a matter of fact, it is an established truth that most of the highway engineers "leaned over backwards" to be certain that all the contracts awarded the firm were completed in accordance with plans and specifications. This was because they feared criticism because of Mr. Walters' political activities. It might be stated that it has been some ten years since any highway construction

work in Tennessee.

Walters & Prater, Inc. have done a great deal of work for private concerns such as "The Tennessee Eastman Corporation," Kingsport, Tennessee; "American Zinc Company," Mascot, Tennessee; the "United States Steel Corporation" and many other private concerns which respected the ability of the firm and the promptness with which any contracts given the firm were completed.

Herbert Walters and American Enka Corporation

Within the past twenty-five years, or more, there has been little industrial development in Morristown and the surrounding area in which Herbert Walters has not been actively interested. His dedicated concern in the growth and development of this area of East Tennessee has resulted in his becoming one of this section's most influential individuals.

An example of this situation lies in the relationship between Herbert Walters and the decision of the gigantic American Enka Corporation to erect a plant at Lowland, Tennessee, five miles from Morristown. The American Enka Corporation was established in 1828 by the A K U (General Rayon Union) of Arnhem, the Netherlands, which still owns the majority of its shares. A K U itself was established in 1911, and is now a concern with thirty-five plants in eight different countries. It has diversified to the extent that it not only makes Rayon, but also Nylon, Dacron, Plastic-covered Wire and Cable, Cellophane, Synthetic Rubber, Glass Fibre, Linen, etc. In all its plants it has over fifty thousand employees, and its total annual sales are in the area of Five Hundred Million dollars. In its Central Research in Arnhem it has about twelve hundred people, and this research works closely with the large research departments in its plants in Germany and in Enka, North Carolina.

Establishment of the Lowland Plant

In the early part of 1946, two gentlemen from the parent company in Enka, North Carolina, traveled practically all over the South, particularly in the region of East Tennessee, in Northern Alabama, Georgia, South Carolina, Virginia and West Virginia, searching for a location upon which to build a subsidiary plant for the Enka Corporation, since the North Carolina plant occupied as much acreage as was possible in the limited area around Asheville.

These two gentlemen were Dr. A. J. L. Moritz (now of Jensen Beach, Florida), who was Technical Vice President of the Enka Corporation, and Mr. Jan Heykoop (now of Morristown), Chief Building Engineer of the organization, and who eventually became the Manager of the Lowland Plant. After exhausting practically every plausible location, the choice narrowed down to Loudon, Tennessee and Lowland, Tennessee. The later location was particularly attractive since the water supply was the most necessary element in connection with a new plant, and the romantic Nolachucky River, which had a history dating back to the American Revolution, appeared to be exactly the water supply for which they were searching.

Then, there was the question of soil, upon which the factory would be erected. It was necessary to have soil both solid and dependable. In East Tennessee much subsoil is of limestone, which could easily conceal caves and underground streams beneath its surface. However, the

two gentlemen from North Carolina, with the help of the Morristown Chamber of Commerce, obtained an option on several hundred acres, and after drilling a considerable number of testholes, found that the ground in the Lowland section to be exactly what they wanted—being solid, sound, and with a deep base of rock.

It was then that Dr. Moritz and Mr. Heykoop contacted the Morristown City and the Hamblen County Officials, because in the erection of the plant, two things were absolutely necessary: City water and a highway leading to the area. The water problem was especially interesting. It happens that the Enka Filtration system produces water which is almost 100 per cent pure, and it amounts to forty to sixty million gallons per day from the Nolachucky River. Out of this it filters 15-16 m.g.d., which is six times as much filtered water as the City of Morristown uses per day. The Enka filtered water is, of course, absolutely safe for drinking purposes, but those two forward-looking gentlemen knew that accredited City water was essential in order to protect the organization from any situation which might arise in the case of an unexpected epidemic, for instance.

Here is where Herbert Walters entered the picture. He happened to be a member of the Light and Power Commission of Morristown, and through his determination and insistence, the City of Morristown agreed to lay water pipes to the location of the plant, and the surrounding area where "Enka Village" was to be built.

But there was still the matter of a highway to the plant. Again, Herbert Walters came to the rescue. His trip to Nashville and his conference with Governor Jim McCord and his Highway Commissioner resulted in a guarantee that there would be a State Highway from Morristown to Lowland.

Thus it was that the huge, sprawling, constantly-growing American Enka Corporation plant at Lowland, Tennessee, representing a multi-million dollar investment,

came into existence. It stands today, with its eighteen hundred employees and its more than eight million dollar payroll, as the type of industry of which not only this immediate community, but the entire nation, may be justly proud.

And we are inclined to mention again that the decision of the Enka Corporation to select the Lowland site, was in no small measure due to the efforts of Herbert Walters to satisfy the requests made by the Corporation.

It is interesting to note the similarity between the original location of Enka in The Netherlands, and an American subsidiary in Lowland, Tennessee. It is unquestionably a mere coincidence. The Netherlands is a country known all over the world as "The Low Country"—and one of the American subsidiaries is known as "Lowland."

Natural Gas Comes to East Tennessee

It is generally known that Herbert Walters was one of the individuals who financed and developed the "East Tennessee Natural Gas Company," in order to bring natural gas into this section of Tennessee. He also helped to finance and develop the "Tennessee Natural Gas Company," which serves the City of Nashville and the Davidson County Area. The highly involved activities of these Natural Gas Companies are discussed in detail in a following resume entitled "East Tennessee Natural Gas Company and Herbert Walters," more or less based on a brochure "Wade Thompson and the Tennessee Gas Transmission Company." Request was made to the "St. Louis Post-Dispatch," Arthur R. Bertelson, managing editor, for permission to reprint excerpts from the brochure. Mr. Bertelson's reply was "Please feel free to use whatever excerpts you like from Rufus Jarman's story *The Life Story of Wade Thompson*."

*East Tennessee Natural Gas Company
and Herbert Walters*

Early in 1952, a reporter by the name of Rufus Jarman wrote a series of five stories in the St. Louis Post-Dispatch, concerning a young man by the name of Wade V. Thompson. Becoming interested in the idea of bringing natural gas to Middle Tennessee, and particularly Nashville, where “the darkened skies were similar to those over St. Louis before the Smoke Abatement Laws were passed,” this young hill-billy from the Kentucky mountains determined to do something about the situation. Mr. Jarman writes, “at the time, the sedate city of Nashville, sitting among the hillocks of the Cumberland River Valley, and spreading out into the rolling blue grass country beyond, had long been celebrated as the center of gentility, courtliness and culture—as well as for one of the most overpowering blankets of soft coal smoke that ever plagued a community.”

We are forced to abbreviate the long story, which is most fascinating, but we wish to include the salient points of the idea that pervaded the brain of Wade Thompson. Mr. Jarman continues: “Wade Thompson succeeded in bringing natural gas not only to Nashville but to most of the State of Tennessee. He did this without the help of money, influence or even interest in his enterprise by potential customers. A dozen years before, he conceived and laid the groundwork for the first great pipeline to carry natural gas from the Texas-Louisiana fields, where it was most abundant, into the industrial East, where the

greatest markets exist. The building of the pipeline was widely regarded as the most important single enterprise in bringing about the current booming of natural gas in America. Wade Thompson's interest in natural gas for Nashville began on a muddy August day twenty-two years before, when he arrived there to settle. He was a wild-eyed hillbilly, fresh from the Kentucky Mountains, and had seen few cities. He definitely had never seen that much smoke before. He concluded what Nashville needed was natural gas, a fuel he had seen used in the clean little towns in the mountains near that State's oil fields.

"It took sixteen years before he finally turned on natural gas in Nashville. It was four more years before he had it for the State. He was not able, however, to devote all that time to promoting natural gas. For about three years economic necessity compelled him to work for a regular income. He took up cemetery lot salesmanship, a highly specialized and little known art, at which he became a master. Thompson knew little about natural gas, except that he felt that it was the perfect remedy for Nashville. His notion of high finance was to borrow a few dollars from the small loan boys. His early efforts to promote his idea was on somewhat the homely plane he had used a few years previously when he traveled on horseback selling Kentucky mountain merchants a line of canned and staple groceries, Stimson scales, Star chewing tobacco, punch boards, Blacko tablets (a mighty laxative) and Peruna (female tonic and forerunner of Hadacol).

"Big utility magnates are usually thought to operate in an atmosphere of ornate offices, deep leather chairs and ticker tape. But Thompson's locale was the cracker barrel. His queer background and modus operandi resulted in probably the most bizarre and improbable of careers in an industry renowned for being fabulous and fantastic. He had to learn about natural gas the hard way. In learning he underwent, according to one member of the United States Senate, more trials and tribulations than Job in the Bible.

“For sixteen years, he was dogged by all sorts of hard luck, including a chronic absence of cash. He was constantly harrassed by creditors and so broke that the very roof of his house fell in. He was discredited for years around Nashville as a senseless dreamer who talked in millions and could not pay his grocery bill, and was condemned from Washington to New Orleans as a slicker, a crook, a sharper, but generally as a ‘fly-by-night’ speculator and promoter.

“We will skip for a moment Thompson’s multitudinous trials and high adventure as a prophet of natural gas, and say right here that it had a happy ending. That occurred June 17, 1950, with a ceremony near Knoxville, Tenn., that welcomed the arrival of Thompson’s gas, by pipeline, from Texas, as a new fuel for the State’s homes and factories, including the Atomic Bomb plants at Oak Ridge. Alben Barkley, the Vice President of the United States, came down from Washington and made the principal speech. He called it, ‘a great event and the consumation of a very fantastic and almost incredible struggle to bring you one of the products of nature—a chapter in American industry and American fortitude.’ ”

It would be impossible at the moment to write the full story of Wade Thompson—his life of deprivation, failure, disappointment—and his ultimate success in being responsible for the establishment of the Tennessee Gas Transmission. However, it is interesting to note that one of the staunchest, most enthusiastic supporters of the Wade Thompson idea of bringing natural gas, first to Nashville to overcome the smog that blanketed the city, and then to the entire State of Tennessee, and then on the Great Industrial East, was the subject of this book: Herbert Sanford Walters. In the elaborate brochure on the life of Wade Thompson, written by Rufus Jarman and published by the St. Louis Post-Dispatch, is a picture of Herbert Walters, and beneath it is printed: H. S. Walters whom Thompson brought onto his Board, who protected Thompson against some plans of other stockholders who had dreams of taking

over the project. Herbert Walters was steadfast in his conviction that the Thompson project would prove of inestimable benefit to Tennessee. The Tennessee Gas Transmission Company, which, as we have stated, built the first great pipeline to bring natural gas from the Texas-Louisiana fields to Tennessee and the Industrial East, has since become worth some \$600,000,000. Herbert Walters helped finance and develop this organization.

One of the principal subsidiaries of the Tennessee Gas Transmission Company is the East Tennessee Natural Gas Company: Herbert Walters is not only on the Board of Directors, but is also Chairman of the Executive Committee of the Company. In addition to the East Tennessee Natural Gas Company, other subsidiaries of the parent company, Midwestern Gas Transmission Company, the Tenneco Oil Company, the Tenneco Chemical Company, the Tennessee Overseas Company, the Tennessee Life Insurance Company and the Tennessee Gas Building Corporation — Ten Tem Travis Corporation.

As a matter of information, the East Tennessee Natural Gas Company, in which we are particularly interested, operates some 831 miles of pipe lines and serves 76 communities in Tennessee, as well as some 20 industrial plants which are large consumers of natural gas. These include American-Saint Gobain Corporation at Kingsport and the Bowater Paper plant at Calhoun, Tennessee. Above all, the East Tennessee Natural Gas Company furnishes gas to the Atomic Energy Commission.

Various Business Contracts

It has been persistently rumored that because of Herbert Walters' political affiliations, the firm of Walters & Prater, Contractors, has been favored by the Tennessee State Government in awarding contracts. This is a false impression. In fact, Walters & Prater never competed as vigorously as many other firms for State contracts; their efforts were greatly centered in contracts with other States: Virginia and North Carolina in particular. Road construction on "The Sky Line Drive" in the Shenandoah Valley is an excellent example.

In 1941, Walters & Prater was awarded a contract for building the new Quartermaster Depot in Memphis, the award being divided between Walters & Prater and the Mark K. Wilson Company, of Chattanooga. It involved an expenditure of \$7,784,317 . . . the entire project costing some \$11,000,000. The contract was completed six months ahead of the allotted time.

Also in 1941, Walters & Prater, Inc. was awarded the contract to build highway and railway tracts for the new \$24,000,000 Shell-loading Plant near Milan, Tennessee, which was scheduled to be completed within ten months.

Both of these huge contracts were awarded strictly upon a competitive bid basis.

There is no need to go into detail concerning the many business activities and organizations with which Herbert Walters is and has been associated over a period of years. A great many of these have been firms which are intimately connected with the industrial development of Morristown and the surrounding area.

HERBERT WALTERS' EXPERIENCES
IN POLITICAL LIFE

From early young manhood, Herbert Walters has been interested in politics. To him it was not a struggle for political recognition or reward; he never sought political position, nor would he accept it even when offered. He instinctly liked “playing politics”, an activity which is natural to the average American male. His knowledge of political developments, particularly in the Democratic Party, and his uncanny judgment in sizing up the character of every man seeking political position, has served him well, and today Herbert Walters is intimately associated with those who plan Democratic policies and strategies on a state-wide and national scale.

It would take volumes to enumerate in detail the political episodes in which Herbert Walters has been involved, but the following paragraphs will spot-light some of the more important activities with which he has been associated.

Herbert Walters Becomes Highway Chief

On December 12th, 1934, Herbert Walters was appointed to his first and only State Office — Governor Hill McAllister appointed him Tennessee State Highway Commissioner. After his appointment, he announced that he anticipated no radical change in the Department, except that he was instituting an intensive study of State finances in relation to the public works program. Commissioner Walters succeeded Frank W. Webster, who had resigned to become associated with the Tennessee Valley Authority. The



Herbert S. Walters was appointed Commissioner of Highways by Gov. Hill McAllister, December 12, 1934. He is seen here receiving congratulations from O. F. Goetz, Acting Commissioner, following Frank W. Webster, who resigned to join TVA.

immediate proposition as far as the new Commissioner was concerned was to effect a satisfactory and effective coordination between Federal Aid money and the State funds. He insisted that no pet theories concerning the operation of the Department would be attempted; his idea was merely to conduct it as efficiently as possible. The Nashville Banner of December 16, 1934, made the following comment on the Walters appointment: "he brings to that responsible position qualities of high order; he combines experience, ability and character and has a clear knowledge of the important and difficult problems which will demand attention . . . for sixteen years, Walters has been a member of a construction organization which has done a heavy business in several Southern States, having had numerous contracts in highway, bridge and railroad projects. The wide and practical knowledge in the construction field which he possesses will be a valuable asset to the State."

The Nashville Tennessean wrote editorially of the appointment of Herbert Walters to the position of Tennessee State Highway Commissioner: "his appointment should have wide approval. Mr. Walters is a business man, being President of the Hamilton National Bank, of Morristown, as well as the Presidency for fifteen years of his firm, "Walters & Prater Construction Company," which has been building highways in a number of Southern States. It seems that Governor McAllister could hardly have found a man whose experience could qualify him better for the position of State Highway Commissioner. Mr. Walters, in his first public statement after accepting the appointment, announced among the first matters to claim his attention would be possible legislation to enable the State to obtain the government grant of \$2,500,000 highway funds for 1936, which will be available on condition that the State matches it. Even with those funds, the work of the Highway Department must necessarily be restricted, and, in order that the best results be obtained from whatever money is available, the wisest sort of administration will be necessary. To

that task, Mr. Walters brings business ability and a thorough knowledge of highway work.”

The period of time Herbert Walters spent as Tennessee Highway Commissioner — from December 12th, 1934 to September 19th, 1935, was marked by a specific WPA program, originating, of course, in Washington. The general plan followed was based on the idea of expending the Federal WPA funds available in respect to the State of Tennessee, in farm-to-market program. This program was recommended to Washington. To effect this plan, Herbert Walters journeyed to Washington where he discussed the program with Senator Kenneth McKellar. He explained to the Senator that the Federal Funds allotted to the State of Tennessee meant that it was necessary to furnish transportation, supervision and the actual tools for the people who were on relief to work with. In other words, the money allotted to Tennessee had to be paid out to unemployed people in its entirety, and with this plan in effect about all that could be provided for the working man was that he rake leaves or clean up trash along the highways and clean off the rights-of-way. Under such an arrangement actual work could not successfully be produced.

Senator McKellar made an appointment with Mr. Harry Hopkins, the WPA Administrator in Washington, in order to attempt a kind of plan which could be outlined to realize productive work or produce something worthwhile to the community and to the taxpayers. The visit of Herbert Walters with Mr. Hopkins began in the afternoon, and was marked by a very cold reception about spending part of the Government's funds for materials and equipment. He stated that the money was appropriated by Congress for the relief of the unemployed and that the money should be paid to them, although they did not produce the desired results. After considerable discussion and a persistent argument on the part of Herbert Walters that the unemployed would realize his payroll, and with materials and machinery, the taxpayer would realize a worthwhile

project out of the combined effort, Mr. Hopkins finally suggested, late in the afternoon, that they reconvene the next morning for further discussion.

After leaving Mr. Hopkins' office, Mr. Walters went back to the office of Senator McKellar and discussed in detail the outline of the possibilities of getting numerous buildings, roads, streets and other projects if an arrangement could be made whereby the WPA would permit certain amount of the appropriation for relief to be invested in machinery, tools and equipment. The next morning Mr. Walters returned again to the office of Harry Hopkins, and continued his argument, and reminding Mr. Hopkins that Senator McKellar would be very sympathetic to the program Mr. Walters was suggesting. This seemed to have a great deal of influence on his thinking, and he warmed up to the general outline Mr. Walters was suggesting.

It happened at the time, Mr. Roosevelt was trying to get his first appropriation for relief in the amount of four billion dollars! The Appropriation Committee was tied in the votes which was supposed to appropriate the Four-Billion-Dollars Relief Bill — with one-half for the appropriation and one-half against it. Senator McKellar was in Europe at this time. President Roosevelt got in touch with him and asked his help in getting the Appropriation out of the committee. At first Senator McKellar was reluctant to appropriate this amount of money — the largest appropriation ever authorized. However, after talking with Senator McKellar, McKellar decided to support the appropriation. This decision created a very warm spot in the heart of the President, which gave the Senator great influence with the Works Project Administration. Mr. Walters believes that this interest had a great deal of influence with the Hopkins decision. Following along this line of 25% for materials and equipment, Tennessee was able to build four of its major airports: Tri-Cities, Knoxville, Nashville and Memphis.

It appears that Mr. Walters' visit with Mr. Hopkins resulted in a complete revision of the WPA program by Mr.

Hopkins, and it turned out that the plan was adopted for the entire United States! In other words, so acceptable and sound did the program prove, that it was adopted on a national scale by WPA authorities, and it is definitely known that the Officials in Washington urged Herbert Walters to resign his position as Tennessee State Highway Commissioner and take charge of the nation-wide farm-to-market program.

Herbert Walters Resigns As Highway Commissioner

After slightly less than a year as Tennessee State Highway Commissioner, Herbert Walters on September 19, 1935 reluctantly presented his resignation to Governor Hill McAllister. His resignation was due to the increasing pressure of private business. His letter to the Governor explained his position: "I find that my business and personal affairs in such condition that I am forced to tender my resignation as Highway Commissioner. I regret very much that conditions are such with my personal affairs that I am compelled to offer you my resignation at this time. However, since it is not possible for me to continue as Highway Commissioner, I think this would be the opportune time for me to resign. The plans for carrying out of the Federal program in Tennessee are just starting. If my successor was appointed at this time he would have the opportunity of starting this program and would be able to carry it out under his administration of the Highway Department. I appreciate very much the opportunity I have had to associate with you and serve your administration in carrying on the business of the Highway Department. You have been generous in the confidence you have shown in my handling of the Highway Department affairs.

"I deeply appreciate this and regret more than I am able to express in words that I am unable to continue this association until the expiration of your term of office." The letter concluded with good wishes for the Governor and the new Commissioner.

*Herbert S. Walters Originator of Road Plan Adopted
for the Entire Nation*

Reprint from a prominent Tennessee Daily Newspaper

“It has been said that if a man attains success in his chosen profession or vocation, he would make a good public servant and thereby enhance the value of the office he was chosen to fill. It is the duty of every patriotic citizen, if called upon, to devote his ability and his talents toward the making of a better government. Great men, as history records, have given their time unselfishly toward the advancement of their State, both scientifically and politically. Such a man is Herbert Sanford Walters, appointed (in 1934) as Commissioner of Highways and Public Works, by Governor Hill McAllister. Mr. Walters has experience in road and highway construction, as organizer and President of Harrison, Walters and Prater; later Walters & Prater, Inc., construction company which built miles of roads in Tennessee, North Carolina, Georgia and Virginia. During this time, Mr. Walters was also interested in the importance of scientific farming and stock raising, and invested many thousands of dollars in this field of activity. This extensive experience as well as a certain political experience resulting from his being a member of the State Legislature as Representative from Hamblen and Jefferson Counties, in 1930, where he served with distinction as an outstanding member of that organization, particularly fitted him to become State Highway Commissioner. Therefore, upon the resignation of Commissioner F. W. Webster, during the latter part of 1934, the many friends of Herbert Walters urged Governor McAllister to appoint him as Commissioner of Highways and Public Works. With considerable reluctance and financial sacrifice he accepted this position, one of the most important appointive offices within the power of the Governor of the State of Tennessee. There is an old saying that if you want anything well done, pick an individual who is consistent, energetic and has had lots of work of his own to do, and the task will be performed satisfactorily and in a worthwhile manner. This is literally true with Commissioner

Walters, who has always been, and now is, a hard-working man. No task is too large, no detail too small, for him to give his attention when it is needed. Daily, the Commissioner of Highways and Public Works comes in contact with citizens from over the entire State and they receive at the hands of the Commissioner, courteous, fair and honest treatment. The people of Tennessee can be justly proud of the appointment and of the work done by Commissioner Walters.

“After Governor McAllister appointed Herbert Walters as Highway Commissioner, in 1934, the Department was so completely revolutionized that what resulted, became a model for practically every State in the Union. The Press has this to say: “for several years, Tennessee has received Federal aid for the building of State Highways, and when Harry Hopkins called upon Tennessee to submit its program for the building of State highways, Commissioner Walters presented his plan for the advancement of the ‘Farm -to-Market’ program, which provided for the expenditure of approximately ten million dollars, and which gave employment to at least 25,000 people of the unemployed in the State. This plan was accepted by the Relief Administration, and was adopted as the criterion for other States seeking this character of Federal relief. The plan originated and had its inception in the mind of Commissioner Walters, and is a monument to his ability, his vast experience and his farsightedness. The people of particularly East Tennessee are justly proud of Mr. Walters’ achievement and success, and predict that such success, ability, integrity and executive training entitle him to a higher and more responsible office at the hand of the Commonwealth of Tennessee, and it is predicted and sincerely hoped that Commissioner Walters will consent to remain as head of the Department of Highways and Public Works until such time as he may be called upon to step higher and give the State of Tennessee more of the abundance of his vast experience, for he is well qualified and worthy to represent the people of Tennessee as their Chief Executive.”

Herbert Walters was succeeded as Tennessee State Highway Commissioner by Briggs Smith, a Division Engineer, of Knoxville. Mr. Smith was a native of Dickson County where he was born in 1897. He was graduated from the Civil Engineering Department of the University of Tennessee. In 1920 and while in college he worked part time for the Highway Department as a Rodman. Upon graduation he became a junior engineer and had been with the department from then on. The new Commissioner was a Scottish Rite Mason and a member of the Methodist church. He was married and was the father of a son, who, during the War was in a coast artillery camp at Fort Rees, Monroe, Virginia.

Col. Harry S. Berry, State WPA Chief, expressed regret that Herbert Walters resigned from his position. He said: "Commissioner Walters has given splendid cooperation in the farm-to-market program, but added that in Briggs Smith I think we have a very able engineer to carry on."

The Nashville Banner printed an editorial which is typical of the regret expressed at the resignation of Herbert Walters as Highway Commissioner: "his resignation was accepted reluctantly by Governor McAllister, and he leaves public office as representative of the type of citizen which should be sought to fill our high public office. A business man of Morristown, he was virtually drafted by the Governor to take charge of the Highway Department after Frank W. Webster resigned to accept a government position, and he has given the department an efficient and business-like administration. He accepted the Governor's call knowing that it would mean a personal sacrifice, for it would take him away from his East Tennessee banking and business interests. It is necessary now for him to return to those enterprises and give to them the close attention which it was impossible for them to receive while he held the position of Highway Commissioner. During his tenure of office he has served his State faithfully and his work has attracted attention beyond the borders of Tennessee.

The farm-to-market program which he sponsored won enthusiastic approval at Washington and was accepted there as a model for other States to follow and he was asked to go to Washington to assume charge of the national farm-to-market program. Likewise his proposal for building sidewalks along the most widely used highways was looked upon with favor. Commissioner Walters had completed the foundations for the farm-to-market road program in the State, and he felt this would be a proper time for him to leave the service since he would not be able to continue the sacrifice of his personal business until the completion of this program . . . his successor finds mapped out for him a great federal road building program for Tennessee and it will be his task in the new job to push it through to conclusion . . . ”

The Chattanooga Times in its issue of August 30th, 1935, pays the following tribute to Herbert Walters upon his resignation as Highway Commissioner. It is headed “Nothing But Good”, and says: “earnest, intelligent and competent leaders are not so frequently met with in the public service, but that the resignation of Herbert S. Walters as Highway Commissioner of Tennessee must be viewed with genuine regret. Of Mr. Walters, during his period of service as head of the State Highway Department, we have heard of nothing but good. Popular recognition of his abilities is reflected in the increasing mention of his name as a gubernatorial prospect. His outstanding accomplishment, origination of the farm-to-market program for work relief, has been appreciated nationally. Both his character and actions have inspired confidence. It is understood that Mr. Walters leaves the public service to attend to the demands of his private affairs. We should like to see the public service made more attractive to men of his calibre, men of imagination, of public spirit, of capacity for direction. The efficiency of the public service is more important to the whole community than any private enterprise. We should like to see that efficiency promoted and maintained by able men,

attracted to the public service as a career, and held to the public service by commensurate rewards, and progressive honors as deserved.”

Herbert Walters Groomed for Governorship

Even before Herbert Walters' resignation as Highway Commissioner in the Hill McAllister administration, he was being repeatedly mentioned all over the State as a popular candidate for the Democratic nomination for Governor of the State of Tennessee, which was definitely tantamount to election. One important newspaper reported that Commissioner Walters was in a receptive mood, a statement which was undoubtedly an exaggeration, as Herbert Walters certainly dismissed from his mind any idea of running for the Governorship. It would have been directly contrary to his character, since it would have indicated or implied that he had resigned from the position of Highway Commissioner as a deliberate step toward the gubernatorial nomination. Such an implication was not correct; Herbert Walters was sincere in his resignation as Highway Commissioner, and it was not in his mind to re-enter the political arena by another method—that of accepting the Democratic nomination for Governor. However, those of political turn of mind increased their determination to make him a candidate; the pressure was intense and almost irresistible.

The popularity of Herbert Walters and the confidence expressed all over the state in his ability to serve the state in a business-like manner, still further increased the pressure brought upon him. The following excerpts from editorial comments easily established the fact that the temptation was extremely strong. However, Herbert Walters resisted them because he felt that he could not conscientiously accept a position as important as the Governorship to which he could not give his undivided and complete attention.

The political situation in Tennessee at this time was rather acute. The Chattanooga “Times” of September 30th, 1935, sums up the situation with the following com-

ments: "Governor Hill McAllister's Highway Commissioner, Herbert S. Walters, of Morristown, is being boomed as a candidate for the democratic nomination for Governor. Reports from the Capital state that the Commissioner is in a receptive mood. Commissioner Walters, a successful business man in Hamblen County, laid down his affairs about a year ago to go to the Governor's rescue in the State Highway Department. He has the confidence of the State Administration with which he has cooperated since McAllister took office in 1932. When Frank Webster left the Highway Department to take a post with the Tennessee Valley Authority, Governor McAllister searched through East Tennessee for a business man to take over the management of Tennessee's road system. Commissioner Walters was induced to leave a bank presidency, a contracting business presidency and a number of other important connections in Morristown and upper East Tennessee cities to take over the Department.

"If a candidate, it is likely that the Commissioner could obtain the support of his chief and the State political machinery incident to the McAllister administrator. It has been reported that though there has been a breach between the Governor and Edward Hull Crump, undisputed leader of the powerful Shelby County democratic organization, Commissioner Walters is in the good graces of the Shelby leader. If he should be able to acquire the Crump support, he would be a formidable candidate. Mr. Crump will be a strong factor in the next gubernatorial race, and is expected to throw his support to a wet. Commissioner Walters has never indicated his views on the wet and the dry issue.

"In Washington last week one-time Congressman Gordon Browning, who has been considered in discussions as a possible candidate for Governor, accepted a high post in the New Deal 'Farm Credit', and this is generally accepted as removing him from the Governor's race in which he was never overly interested. However, Mr. Browning has given statements from time to time scoffing at the sug-

gestion that he surrendered what political ambitions he may have had in Tennessee in 1936 to get the Federal office. It is likely that the whole story about Browning's new job has not been revealed. He has his eye on a seat in the United States Senate now held by Nathan L. Bachman, of Chattanooga. He tried last year to root Bachman out, but was unsuccessful in the democratic primary."

Continuing the discussion of the candidacy of Gordon Browning, an editorial in the Nashville "Jeffersonian", of October 10th, 1935, says "the rumor comes that Gordon Browning is merely waiting for the proper time to say what he is going to do. That he will be a candidate for one of the two major positions (Governorship or Senatorship) is now considered certain by his friends. That he already has the approval of Crump for Governor is recorded history. That means that if Gordon wants it, he will have almost a clear field." The editorial concludes with the following rather unnecessary comment: "then, when Gordon Browning has served as Governor for four years, there will come a Senatorial election, and K. D. McKellar is getting to be a very, very old man."

*Nomination for Governorship Offered Twice —
but Refused*

There were two definite times when Herbert Walters was offered the Democratic nomination for Governor, which is tantamount to election in the State of Tennessee. The first time was in 1936, and an editorial appearing in the Morristown Gazette and Mail of February 4th, of that year, explains the political situation existing at that time: "in political mumurings over Tennessee, quite a few names are being mentioned as the possible Democratic nominee for Governor. Men of different vocations and callings are apparently seeking the high post. Finances being what they are in State affairs, we feel that the type of man the office of governor should draw to is the type of man who does not seek the job but rather permits himself to be drafted for the difficult task ahead.

"The job this time demands a business man who has

the courage to put our State finances on a smaller ration of politics and a larger portion of monetary fact-finding. Anyone with baby intelligence who has followed our Tennessee budgetary methods for the past few years can easily pick our ultimate goal if we don't get a break before the concrete begins to settle. And some say it's already begun to harden.

“Hon. Herbert S. Walters, former member of the Tennessee legislature, president of the Hamblen National Bank of Morristown, and President of Walters & Prater, Contractors, and prominent over the State as recent Highway Commissioner, is being urged by high and influential sources to offer himself for governor. One of the best stories ever written for children, and also with a moral for grown-ups, tells of a little Dutch boy, who, discovering a leak in the dyke and knowing that by the time he could go after help it would be futile, plunged his arm into the break and saved the country from a wash-out. We believe the State of Tennessee is in dire need of just such a practical person, and we also believe that our fellow townsman, the Hon. Herbert S. Walters, is that type of man.

“Should he decide to offer himself for Governor of Tennessee, we salute him as a leader fully qualified for the task ahead.”

In that year, 1936, Herbert Walters definitely stated that he would not consider the nomination for Governor of Tennessee, offering as an explanation, that his business activities were of such a nature as to prohibit any change of plans.

The same situation arose again in 1943. The situation in Nashville was again in an unhappy condition, and there was a certain amount of friction among those who were at the helm of the State government. Consequently, it was natural that some solution should be sought. An editorial in an important Tennessee newspaper puts a clear light on the situation: “in the minds of a great many citizens, from Memphis to Bristol, a new leadership is necessary. The new situation, in the opinion of many members of the Demo-

cratic Party, demanded that there should be a strictly business man in the Governor's chair, in an effort to effect a balancing of Tennessee's budget. The man most highly considered is Herbert S. Walters. Pressure is being brought upon him which seems impossible to resist. His friends argue that he is financially able to make the necessary sacrifice to bring about his election to the highest office of the State. It is argued that no man in the State is quite as well fitted, as one enthusiastic supporter has said, 'to lead Tennessee out of the marshes'."

In this rather chaotic situation there is no direct attack upon the Governor, who was scrupulously honest, but it was claimed that he was surrounded by a group of politically minded individuals who did not hold the complete confidence of the citizens of the State. In the general opinion of those who were intimately familiar with the political situation at the time, there was not the least shadow of a doubt that Herbert Walters could have had the gubernatorial nomination without a contest, and such a nomination practically guaranteed his election. He was not insensible to the honor bestowed upon him, but those who were promoting the plan probably did not know Herbert Walters. From his initial entrance into the fields of politics, only twice did he deviate from his determination to sidestep political office: a member of the Legislature in 1932; and his appointment as Highway Commissioner, appointed by Gov. McAllister in 1924. Probably one of the reasons for his persistent mention for the Governorship, was not only his business ability and acumen, but his strict adherence to the accepted principals of the Democratic Party. Never did he deviate from those established principles. However, a second time did he definitely refuse the nomination for Governor, preferring as he does today to remain as a sort of silent, but influential and powerful member of his Party. In refusing a second time to accept the nomination for the governorship, even if drafted, Herbert Walters again gave as an excuse, his complicated business interests, but probably the real reason lay in his preference for a poten-

tial, rather than an active participation in the affairs of his Party; in this capacity, his influence, devotion and loyalty has never waivered.

In June, 1941, there began to be evidence of certain differences in the Democratic State Party during the Administration of Prentice Cooper. According to "The Press", two members of the Cooper Cabinet were in disfavor: one of them was Adj. Gen. Tom Frazier, the Governor's Military Attachee and State Selective Service Director. Without going into too much detail, Gen. Frazier was slated to be released, and the turmoil ensuing brought about the inclusion of Jack Norman, State Bar Association leader and State Democratic Committee Member. "Mr. Norman had been blocked by the Cooper Administration in his attempt to have the State Committee call a judicial convention during the summer when nominees for the State Supreme Court and the Court of Appeals would be selected. Later Mr. Norman participated in writing a blistering report by a State Bar Association Committee in which Governor Cooper was sharply criticized for preventing the Judges' Retirement Bill from reaching the floor of the last Legislature for a vote. Among those mentioned as a possible successor, in case Gen. Frazier resigns, was Major Hilton Butler, Publicity Director for the Governor during his first campaign, later State Safety Director, now in the Selective Service Bureau. Another Cabinet Member reported to be in Cooper's disfavor, is George McCanless, Finance and Taxation Commissioner." "McCanless," comments another newspaper, "is a protege of Herbert Walters, who was sidetracked by the Governor when a move was started to name him State Committee Chairman. Commissioner McCanless, in placing an order for engraved liquor stamps, gave the order to a firm not too friendly with 'the organization,' which resulted in a sharply-worded letter being sent to the Commissioner. Another personal situation is also brewing, involving the Governor's confidential secretary, James Hardin and Edward Friar, Chief Clerk of

the House. Mr. Hardin has apparently been the object of severe scoldings by the Governor, while, on the other hand, Mr. Friar is growing steadily in the Governor's favor. Mr. Friar, of Knoxville, spends much of his time here and Capitol rumors repeatedly predict that he will be placed on the Governor's Staff."

A little later, the same year, 1941, according to Capital Newspapers, "a new turn was apparent in State Democratic politics yesterday when it was learned that R. R. Kramer, Knoxville lawyer, might be 'available' as Chairman of the State Executive Committee. The vacancy was created recently by the death of Wardlaw Steele, of Ripley, and is to be filled at a special meeting of the Executive Committee. No date has yet been set for the meeting. Although it had been indicated that Herbert S. Walters, Morristown business man, and former State Highway Commissioner, could have the Chairmanship by reason of seniority and other qualifications, it has developed that Kramer would get the nod from the State Administration. Kramer would neither admit nor deny that he is 'available' for the Chairmanship, but his friends say he would accept it. As Chairman of Gov. Cooper's Civil Service Commission, the Knoxville lawyer has been close to the State Administration and is believed to be favored by the Governor. Some sources say administration pressure has been applied in recent days to members of the Executive Committee in support of the Knoxville man.

"The Chairmanship is due to go to an East Tennessean, and Kramer and Walters appear to be the leading contenders. Harold Wimberly, another Knoxville lawyer and Secretary of the Knox County Election Committee, has received some support but is believed too young to obtain enough strength this year. Friends of Herbert Walters say he is definitely available for the vacancy and has the support of a large bloc of votes. The significance of the Chairmanship lies in the fact that the next Chairman will direct policies of the 1942 campaign, when some observers believe Governor Cooper either will be a third-term candi-

date or will enter the Senatorial or Congressional race. A 'friendly' Chairman would be a campaign asset, it was pointed out. Walters is a veteran Committeeman, having served since the days of Governor McAllister. Kramer is serving his second term, having won both races by a comfortable margin. It is believed that some 'agreement' will be reached before the Committee meeting, in order to avoid an open conflict on the Chairmanship. (Kramer was appointed by Gov. Cooper.)

SEPTEMBER 15, 1944

Herbert S. Walters, of Morristown, was elected Chairman of the State Democratic Executive Committee today at the groups organizational meeting in the State Capitol. He was nominated by the retiring chairman, R. R. Kramer; J. Edgar Evins was elected Secretary. Vice Chairman for each grand division of the State were also elected: East Tennessee, Harold Wimberly, of Knoxville, and Mrs. Bernice Fancher Lee, of Sparta; Middle Tennessee, Ben West, of Nashville and Miss Sallie Walker, of Centerville; West Tennessee, Bob Quinn, of Savannah and Mrs. Lillian Bell, of Tiptonville.

SEPTEMBER 16, 1944

Herbert S. Walters, Chairman of the Tennessee State Democratic Executive Committee, announced the appointment of five Presidential electors to fill vacancies created by electors disqualified because of positions they hold. He appointed as the new Electors: Charles S. Stephens, of Morristown to succeed J. Milligan, Greeneville, John T. Gray, Brownsville, to succeed W. M. Leech, of Charlotte; Dr. J. T. Moore, of Allgood, to succeed W. L. Swallows, Cookeville; Rob Roy, of Alexander, to succeed State Treasurer, John W. Harton, of Tullahoma, and Frank Gray, Jr. of Franklin, to succeed J. M. Spencer, of Erwin.

McCord Names Walters as Governor's Race Manager

Jim McCord, Democratic Candidate for the governorship of Tennessee, appointed Herbert S. Walters as his

Campaign Manager. One prominent newspaper had this to say of the appointment: "Herbert S. Walters is widely known in Tennessee politics, having been Commissioner of Highways under the McAllister Administration. Mr. Walters' first interest in Tennessee politics started in the Austin Peay campaign, and under the governorship of Henry R. Horton, whom he supported, Mr. Walters became most prominent in East Tennessee political activities. He has long served on the State Democratic Executive Committee, and has, himself, been frequently mentioned as a candidate for Governor. Mr. Walters had this to say concerning the McCord candidacy: 'Mr. McCord expects to make few campaign speeches, but party plans are being maintained to lay plans for an effective campaign before the November election, adding that the people at present are more interested and concerned with the progress of the Invasion and the winning of the War than they are in entering into political discussions.' "

*Herbert Walters Appointed Democratic
National Committeeman*

On April 2nd, 1945, Edward G. Crump, Memphis figure of long duration and three-time Democratic National Committeeman from Tennessee, resigned from that post. However, he announced that he would continue to take a very strong and active interest in Tennessee politics. Simultaneously, Mr. Crump announced through a spokesman, W. H. Gerber, that he would support Sen. Kenneth D. McKellar and Gov. Jim McCord for reelection in 1946. Crump's letter of resignation was contained in a message to the State Democratic Committee. He endorsed Herbert S. Walters of Morristown, Highway Contractor and Committee Chairman as his successor, and he was elected to the position. Gerber, a member of the Committee and Shelby County District Attorney General, submitted the resignation and said that Mr. Crump had sought to relinquish the office on two prior occasions, but had been dissuaded by Senators McKellar and Stewart, as well as former

Governor Prentice Cooper. Gerber repeated that he wanted it understood that Mr. Crump still intended to take a very strong and active interest in Tennessee politics, and wants it known that he will be for the reelection of Senator McKellar and Governor McCord two years from now.”

Walters Named State Coal Conservation Head

On December 4th, 1946, Governor Jim McCord appointed Herbert Walters as Coal Conservation Director for Tennessee, with full authority to make recommendations in connection with the coal shortage brought on by the miners' strike.

Governor McCord, in making the announcement said that he had implicit confidence in Mr. Walters' judgment and ability and that he was satisfied he would cooperate with the Federal Government and Interior Secretary J. A. Krug during the emergency. The Nashville Banner said “the appointment of Herbert Walters as Coal Conservator was made upon the suggestion of Secretary Krug that the Governor of each State name some person who would be responsible for the conservation of coal stocks which are on hand.” Mr. Walters told The Banner that he had been notified of the appointment at his home in Morristown, and would immediately try to determine the amount of coal in transit. He said: “this situation is serious and we are feeling the effect of the miners' strike here in East Tennessee. The Knox County Court House is already out of fuel and many other buildings will be without coal in a few days.” He said that he expected to look into the State-owned mine at the Petros State Prison to determine if any coal would be available after State-owned institutions are cared for. “It's a big job,” he said, “but I'm ready to tackle it.” Herbert Walters, highly successful East Tennessee road builder and contractor, is widely known in State Democratic circles. He is Democratic National Committeeman for Tennessee, and a close personal friend of Governor McCord.”

June 3, 1947 — *McMillan and Walters to Aid Tax Study*

Governor McCord today appointed a seven-member State Tax Revision Commission which will study needs for tax revision and report to the 1949 Legislature. The Commission, authorized by a Senate joint resolution this year, provides that members be appointed, two from each grand division of the State and one from the State at large to be chairman. The Governor selected as Chairman, State Solicitor General William F. Barry, who has been on the staff of the Attorney-General for 21 years. Barry wrote the State's new sales tax law. The two members from East Tennessee are Herbert S. Walters, Morristown Banker, contractor and Democratic Committeeman from Tennessee, and E. J. McMillan of Knoxville, manufacturer and head of the Standard Knitting Mills.

MARCH 10, 1948

Herbert S. Walters, Tennessee Democratic National Committeeman, said today that President Truman made a serious mistake in his Civil Rights stand and that the Democratic Party should nominate another man. "There are dozens of men who would make good Democratic Presidents," the Democratic leader said, "and I think the South should stand together and get somebody who can handle the job." Walters mentioned Chief Justice Fred Vinson, James Brynes, Sam Rayburn and Harry Byrd, as among the dozens he said would make good nominees. He did not say which one of these he personally preferred. He added: "The South will carry a lot of weight at the National Convention, and I think we should all stand together and get the right man. I'm a Democrat and will stay a Democrat, but we must have someone who can do the job." He added that "if it had not been for the South, Henry Wallace would have been President today. The South kept that from happening by raising so much Cain at the Chicago Convention." Walters warned, however, that the Democrats must fight out their squabbles within the party, and stick together.

Governor Gordon Browning was less vehement in his attack; he is against part of Truman's Civil Rights program, but favors poll tax repeal and a law against election frauds. The two latest statements to the United Press followed closely after earlier blasts against the President's stand by Memphis political leader, E. H. Crump and Gov. Jim McCord.

JULY - 1948 — Herbert S. Walters came out boldly for reelection of Governor Jim McCord and Senator Tom Stewart.

SEPTEMBER 17, 1948 — An example of the sacrifice Herbert Walters would always make for Party harmony was in his resignation — voluntarily given — from the State Democratic Executive Committee, in order that Gordon Browning, the Democratic Nominee for the Governorship, might appoint Robert L. Taylor, of Johnson City for the office. Taylor was Manager for Browning's campaign. After his election Judge Taylor proposed a resolution endorsing the party candidates, Truman and Barkley for President and Vice-President, and Gordon Browning for Governor and Estes Kefauver for Senate. The actual resolution was offered by J. Carlton Loser, of Nashville.

*Editorials in Important Tennessee Dailies Laud
Herbert Walters for Loyalty to Party*

It has been mentioned that no sacrifice has ever been too great for Herbert Walters to make for the good of the Democratic Party. Editorials in important Tennessee dailies have hailed Walters as a hero. Dated Sept. 15th and 16th, 1948, there follows a combined, condensed version of these editorials: "Tennessee's State Democratic Executive Committee demonstrated the solidarity of the State's new official party machinery behind State and National candidates in all its actions today. The demonstration offered not even the slightest encouragement to those few disloyal Tennessee Democrats who lived in hopes that hangovers from the primary battle or disputes over na-

tional issues would weaken the party's governing body as it prepared for the November campaign. The unequivocal indorsements of the party's national candidates, President Truman and Senator Barkley, and its outstanding and aggressive State ticket was passed without opposition. An attempt to block an investigation of the party's loyalty by each of the twelve electors selected by the May Convention failed by a fourteen to five vote. This backhanded effort to head off disciplining of party bolters who flew under false colors when named to the electoral slate was such an outstanding failure that an eventual conformity seemed assured, regardless of the means needed to obtain it. The very fine and unselfish action of National Committeeman Herbert S. Walters of Morristown in stepping down from the committee in favor of Robert L. Taylor of Johnson City showed how general was the sentiment for full party harmony. The tributes paid Mr. Walters by several committee members and the official resolution passed by the committee were well deserved recognition of a distinguished Tennessee Democrat. He showed himself a good and faithful Democrat and a fine sportsman. The noble example of Mr. Walters in his fidelity to his party will be followed by all real democrats. It is a rebuke to Republican newspapers who, after falsely claiming to be Democratic and attempting to enforce their will within the Democratic Party, and losing, cowardly quit and assail the party in whose primary they participated, thereby conniving for its destruction which they have hoped for all the time. One famous Tennessee political commentator had this to say: "Herbert S. Walters, of Morristown, might well be termed the 'hero' of the occasion. Mr. Walters, who has been in ill health for some time, and who unable to leave his bed in a local hotel to attend yesterday's session voluntarily resigned from the Committee in order that Bob Taylor might be elected and named Chairman to direct the November campaign. For a time it was conceded that Walter Moody, of Kingsport, a State Auditor and long allied with Judge Thad Cox's Democratic leadership in the First District would resign

from the Committee in order to give Taylor a post on the Committee, but according to reliable reports, Moody would resign only if given the office of State Comptroller, with First District patronage thrown in. The answer of the Browning organization was that no promises would be made, and no favors offered for Moody's resignation. Moody was dropped entirely from consideration, and plans were made to elect Taylor Chairman without a Committee vote, or name Taylor Campaign Manager and Louis Chambers, of Lebanon, Chairman. When he arrived in Nashville and learned of Moody's position, Walters volunteered to resign 'with not a string attached' in order to give Taylor membership on the Committee."

SEPTEMBER 15, 1948

The comment of another strong Democratic newspaper had this to say: "the State Democratic Executive Committee yesterday strengthened party lines with reorganization for the November general elections and pledged all-out support for party nominees, from President Truman down. The desire for party harmony among the Committeemen and committeewomen, many of whom were on opposing sides in the August Primary, became evident immediately as the meeting convened in the House Chamber of the State Capitol, when Herbert S. Walters, of Morristown, Democratic National Committeeman from Tennessee, resigned from the State Committee in order to create a vacancy for Robert L. Taylor, of Johnson City, campaign manager for Gubernatorial candidate, Gordon Browning. It should be mentioned that Mr. Walters announced his own decision to resign! After the meeting Browning and Taylor went to Mr. Walters' room in "The Hermitage" Hotel to thank him personally for his action in resigning in favor of Taylor. 'It was a fine thing for him to have done,' said Taylor. Mr. Walters assured them of his strong support in the elections and offered to help the Democratic campaign in every possible way. It happened that Mr. Walters was confined to his room at the hotel because of a recent

illness and was unable to be present, but his letter of resignation was read by retiring Chairman J. Frank Hobbs, of Lawrenceburg, at the opening of the meeting. Applause greeted his statement that he was resigning in favor of Taylor and for the further reason that there may be harmony and co-operation among the Democrats." After the group had adopted the resolution offered in praise of Walters for his action, several members personally paid tribute to him as an outstanding Democrat in Tennessee.

Volumes could be written concerning the interest Herbert Walters has always had in connection with East Tennessee. Probably not a project, business, social or otherwise, has ever been started in this section of East Tennessee, but that the hand of Herbert Walters may be recognized. His determination to promote the interests of Tennessee, particularly East Tennessee, has, over a period of years, taken him practically all over the Eastern part of the United States, and the trips he has made to Washington, could not be counted. These trips to the Capital were made many times in the interest of the Democratic Party, usually with the idea of preserving and perpetuating Party solidarity, which at times was sorely disturbed due to the many conflicts arising from different sections of the country. On such trips, Herbert Walters was in constant contact with Government Officials from the President of the United States, Senators, Members of the House of Representatives, to officials less prominent. Other trips to Washington, probably just as many as political-trips, concerned some industrial development, some Federal aid for a an important project, and other activities which would bring prosperity and development for some particular section of East Tennessee.

In regard to the influence Herbert Walters exerted in the State of Tennessee, there has not been an Administration within the past three decades with which he has not been identified in some form or another. The relationship between him and Nashville has not always been happy and

peaceful, and cordial. A man who knows him well, explained that any certain strain or difference of opinion, in his judgment, was that Herbert Walters positively refused to go along with any political plan he did not regard as ethical, nor would he support any individual who did not measure up to his demands in regard to personal standards and personal ideals. But, through the years, regardless of periodic conflicts, Herbert Walters, according to the opinion of the gentleman just quoted, has maintained a reputation for honesty, integrity and honor, which has made him probably the most influential individual—at least, politically — in the State of Tennessee.

From 1948 to 1952, Herbert Walters was continuously involved in both State and National politics, although at times, through business activities and certain health problems he was forced to encounter, he was more or less ‘in and out of politics,’ but certainly mostly ‘in.’ There were also certain State political incidents in which he was sometimes at variance, but his devotion and loyalty to his Party remained as constant as it had always been.

In 1952, Governor Gordon Browning and Senator Estes Kefauver had their own representatives on the Democratic National Committee, for the first time since their election. The Tennessee Democratic Committee elected Jack Norman, of Nashville as National Committeeman, and Mrs. Tom Ragland, also of Nashville, as National Committeewoman. Mr. Norman was elected by acclamation when the retiring Committeeman, Herbert S. Walters, of Morristown, said he did not want the job. Mr. Walters nominated Norman by proxy at the meeting.

In 1953, the situation in State Democratic affairs, was not a particularly happy one. Dissention was more or less prevalent, and the Party was split for a number of years. An editorial in a leading State newspaper made the following comments: “if Tennessee Democrats wanted a man to build the State back into their traditional column in 1956, they apparently picked the right State Chairman in Herbert Walters.” It happened just that way. Herbert Walters

was unanimously elected Chairman of the State Democratic Executive Committee. He succeeded Buford Ellington who resigned to take a Cabinet post (Commissioner of Agriculture) in the new administration of Gov. Frank Clement. It might be mentioned here that Ellington, according to the Press, made thousands of friends over the State during his highly successful handling of the campaign managership of Mr. Clement. The Press also added: "the choice of Mr. Walters is a wise one. No man in the Democratic Party in Tennessee is as generally popular with the different factions; and his election to the Chairmanship is a compromise which will be effective in healing the wounds brought about by Party dissension."

Recognizing the road-construction and contracting ability of Herbert Walters, Governor Frank Clement, soon after his administration began, appointed Mr. Walters as a member of the Tennessee State Highway Planning Commission. Mr. Walters served once before as a member of the Commission, under Governor McAllister. "His long experience as a highway contractor will serve the State in good stead," comments a Knoxville newspaper.

After a brief 'respite', Herbert Walters re-entered the activities of the State Democratic Party with enthusiasm and vigor. The Clement Administration was hardly under way, when the State Democratic Executive Committee under Herbert Walters, began preparations for a State-wide Jefferson-Jackson Day Fund-Raising Dinner. The date depended upon arrangements with former Vice-President Alben Barkley, who was asked to make the principal address at the dinner. Mr. Walters announced that former Secretary of State Joe Carr of Nashville would serve as planning-committee Chairman, and other members were to be announced later. It developed that Vice-President Barkley was unable to make the necessary changes in his speaking assignments. However, National Democratic Chairman, Stephen A. Mitchell, was able to attend, and the dinner was not only a great success, but it succeeded in healing many wounds and breaches in the Party. The real purpose

of the dinner was, according to a Nashville paper, "to make it a non-factional affair and bring together party followers who have been in the ranks of the present Clement State Administration as well as those who unsuccessfully opposed the young Governor's last year's campaign." "Herbert Walters," continues the newspaper report, "is one man in the Party who is not only loved and respected by the State Administration leaders but by those in the opposing group as well. Chairman Walters has done more to bring together the opposing factions of the party in Tennessee than any Committee head in many years. Seldom, if ever, do politicians criticize Chairman Walters — even those who may have different opinions themselves from the opinions of the Chairman. This is a unique compliment to Herbert Walters, political followers agree".

On February 4th, 1954, a Nashville newspaper made the following comment: "Herbert S. Walters, of Morristown, powerful Democratic leader in East Tennessee, as well as in other parts of the State, with Lt. Gov. Jared Maddux of Cookeville, today endorsed Governor Frank Clement for re-election. Walters, well known industrialist and Chairman of the Board of the East Tennessee Natural Gas Co., is considered one of the most powerful party leaders in Tennessee. In a telegram to Governor Clement he said: 'Congratulations on your program for this great State. I am happy to join your many friends in this section in pledging our support. I am sure you will receive an overwhelming vote of confidence in the coming election.' As former Democratic Committeeman for Tennessee, and as present Chairman of the State Democratic Executive Committee, Walters is known throughout the State, and is respected and admired by business and political leaders."

Herbert Walters Receives High Party Honor

In September, of 1954, Herbert Walters received special recognition as a leading member of the Democratic Party — nationally speaking. He was asked to serve on a special committee which was to deal with rules and procedures for the 1956 Democratic National Convention. The

invitation to serve on this highly important committee, which will concern itself especially with the so-called 'loyalty pledge' which split the 1952 Convention wide open. It might be explained that 'the loyalty pledge' adopted in 1952 and sponsored by so-called Northern 'liberals', required all delegates to the convention to do everything in their power to get the names of the Party's Presidential and Vice-Presidential nominees on the ballot in their respective States. Sponsors said it was intended to prevent a repetition when some Southern State bolted the National Democratic ticket in favor of a States Rights ticket headed by two Southern governors. The letter to Herbert Walters from Stephen A. Mitchell, Chairman of the Democratic National Committee, said, in part: "at the Chicago meeting, September, 1953, the Democratic National Committee authorized me to establish a special committee with wide geographical representation and experienced background to study and make recommendations concerning rules for the 1956 convention with special reference to the so-called loyalty pledge matter and the modernization and improving of convention procedure in the light of television and current problems. The special advisory committee on rules for the 1956 Convention will hold its initial meeting in conjunction with the national committee's meeting and the National Congressional campaign conference and dinner at Indianapolis, September 18th. I am requesting you to serve on this special committee and believe your experience and background will be of benefit to the Committee and the Democratic Party. Please wire whether you are willing to serve and also whether you can attend this first meeting. Signed: Stephen A. Mitchell, Chairman of the Democratic National Committee."

*Re-Elected Chairman of State Democratic
Executive Committee*

At a meeting held on September 15th, 1954, Herbert Walters was again re-elected as Chairman of the State Democratic Executive Committee. He was nominated for re-election by Russell R. Kramer, of Maryville, who de-

scribed him 'a Democrat in season and out!' The Committee named Joe Carr, Nashville insurance executive, and former Secretary of State to succeed Robert Crichton, of Nashville, whose 'break' with Governor Frank Clement over the latter's Cadillac was an issue in the August Primary. The Democrats also picked Vice-Chairman and Vice-Chairwomen from each of the three grand divisions of the State. They were: John Dunlap (Cleveland) and Mrs. Sam Wilson (Loudon) for East Tennessee; Frank Hobbs (Lawrenceburg) and Mrs. Albert Hill (Nashville) for Middle Tennessee; Kenneth Wood (Henderson) and Mrs. Eugene Anderson (Jackson) for West Tennessee. The Committee also adopted a resolution calling for the appointment of Buford Ellington, Clement's campaign manager this year, as manager of the Democratic campaign for the November election.

Party Harmony Apparent

Primarily due to the influence of Herbert Walters and his unique method of restoring harmony and peace among the 'warring factions' of the Democratic party, political affairs in that particular group were in an enviable position when it came to a patching up of differences. There was Buford Ellington, Frank Clement's campaign manager; B. B. Gullett, attorney for State Licensing Board; Conservation Commissioner Jim McCord; Joe C. Carr, Democratic Treasurer and George McCanless, former Commissioner of Finance & Taxation under two State Administrations, and now slated to become the Tennessee Attorney General. High interest in the November races was particularly stimulated by the name of George McCanless. A successor to the late Roy H. Beeler, 'head of the State's legal department' was to be selected. Many Democratic leaders in East Tennessee were fearful that members of the State Supreme Court might pick Beeler's successor from some other section of the State, thus breaking the tradition of naming the Attorney-General from that section represented by only one associate justice on the Court. There were rumors that Solicitor General Allison

B. Humphrey, of Lebanon, was being considered strongly for the post and at the same time a report arose that Dayton Chancellor Glen W. Woodlee, had the inside track. He had been an outstanding District Attorney General and Chancellor, and was highly respected by members of the Tennessee Bar and apparently had excellent endorsements for the position. But, again, Herbert Walters enters the picture. McCanless was widely known as a lawyer and an authority on State legal affairs, the fact that he had for a long time been the personal and close political friend of Morristown's Herbert Walters, State Democratic Chairman, was greatly in his favor. A Nashville newspaper report put it this way 'Chairman Walters was one of the first to express the hope that the Court would not only continue its tradition by naming an East Tennessean to succeed Beeler, but would consider McCanless. Mr. Walters is certainly one of the most admired and respected individuals in Tennessee. He has also unlimited influence in the Democratic Party, and he also has the respect and friendship of many Republicans. His endorsement of any person for any office carries much weight as has been proven in many election campaigns in the past twenty years.' It might be stated that George McCanless was appointed Attorney-General of the State of Tennessee, in 1954.

Democratic Party Harmony in State Established

With Frank Clement, as Governor, and a number of his cabinet members, and, of course, Herbert Walters, Chairman of the State Executive Committee, almost perfect party harmony was established in Tennessee just previous to the 1956 Presidential election. A number of State-wide gatherings were arranged, among them banquets and luncheons which were attended by not only State officials but by such leaders as Paul M. Butler, National Chairman of the Democratic Party, Sam Rayburn, Speaker of the House, Senators Estes Kefauver and Albert Gore, and other prominent members of the Party. All these functions held in different localities in Tennessee were arranged by the State Executive Chairman, Herbert Walters. One of

the banquet which deserves special mention was held in Nashville's Hermitage Hotel. Paul M. Butler, National Chairman of the Democratic Party was the special guest, and a crowd of 1500 to 1800 guests was expected. Butler arrived at the Nashville airport and was met by Governor Clement, State Chairman Herbert Walters, State Democratic Treasurer Joe C. Carr, Agriculture Commissioner, Buford Ellington, Mayor Ben West, County Judge Beverly Briley, Jack Norman, then Democratic National Committeeman, and Mrs. Tom Ragland, Democratic National Committeewoman. It was at this dinner that Mr. Butler mentioned certain Tennesseans who might appear on the National Ticket. He said, after praising Tennessee's political talent: 'the State has a good chance of landing a berth on the Democratic National ticket next year!' However, the Chairman quickly added that nominees are selected by delegates at the national conventions. It was reported by the Press that it was obvious that Mr. Butler's reference to Tennessee's 'political talent' obviously referred to Governor Clement and the State's two Senators, Kefauver and Gore. After the banquet, Herbert Walters, according to newspaper reporters sized up the Democratic picture in Tennessee: 'I've never seen before so much interest in small communities. Not only the party leaders but the grass-root workers have taken on a new determination and air of confidence which is evident everywhere you go.'

Tennessee State Delegates to Convention Uninstructed

The 1956 National Democratic Convention to be held in Chicago, was preceded by a factional fight within the ranks of the Tennessee State Democratic Party. The leaders of the fight were, on one hand, Senator Estes Kefauver, and Governor Clement on the other. There is no necessity of going into a detailed discussion of the battle: Sen. Kefauver was accused of putting bitterness and abuse in his Florida and California campaigns in his attack of Adlai Stevenson; otherwise it was predicted that the entire 32 votes of the Tennessee delegation could have gone to him. Bitter differences among the influential Tennessee demo-

crats was brought about by the floor fight in Nashville between the forces of Gov. Clement and those of Sen. Ke-fauver, at the Democratic State Convention. "The influence of Herbert Walters, of Morristown, once again asserted itself," reports one important newspaper, "Walters, over the years, has demonstrated a remarkable ability to pick the winner, as it were, and to join up with him in plenty of time. He is also a skillful conciliator, and in this particular instance, Walters offered the following resolution to the convention: Whereas, there are several Tennesseans who have been favorably mentioned as Candidates or who are available for the President and/or Vice President of the United States, any one of whom may have an opportunity to be nominated for either President or Vice President; Whereas, said delegates from Tennessee to said Democratic National Convention should be uninstructed so as to enable them to support and cast Tennessee's votes for such nomination for any Tennessean who has an opportunity to be nominated for either of these offices, and as will be to the manifest interest to her people and as the same may appear to her delegates when the vote is taken for such nominations; Now, therefore, be it resolved in accordance with the above, that Tennessee's delegates to the National Democratic Convention be and the same is hereby uninstructed and its vote in said Convention shall be cast as a unit on all questions coming before said Convention."

Before the National Democratic Convention was held in Chicago, it happened, as the most influential politicians in Tennessee predicted, Herbert S. Walters was once more elected the Democratic National Committeeman for Tennessee, the position he had held for a number of years until replaced by Jack Norman, of Nashville. Thus it happened that he held two positions of highest rank in the Democratic Party: Chairman of the State Democratic Executive Committee, as well as National Democratic Committeeman from Tennessee. This happened in July, 1956. At this time, it became almost certain that Governor Frank Clement would get the Convention Keynote Spot! The two individuals re-

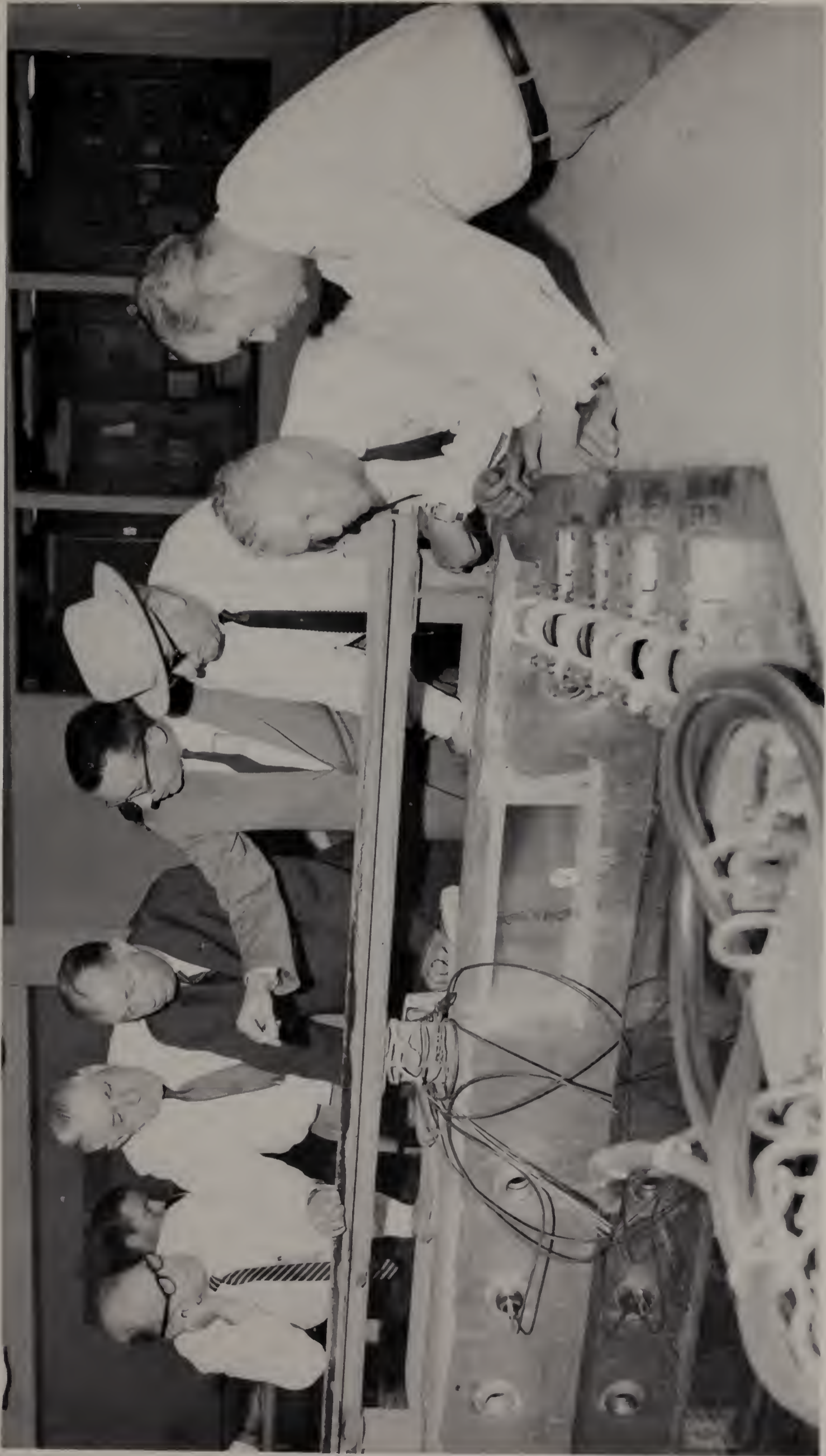
sponsible for this signal honor being given to Governor Clement, according to practically all Tennessee newspapers were Herbert Walters and Donald McSween, of Newport, who served as Tennessee Welfare Commissioner under Clement. One Knoxville paper made these remarks: "contrary to the belief on the part of the public, things do not 'just happen' in politics any more frequently than they do in other fields of activity. More often than not, they are the results of both planning and effort, frequently months, even years, in advance of the event. Thus, the Clement-for-Keynoter story began when Mr. Walters and Mr. McSween prevailed upon former President Harry Truman to become the main speaker at the Cosby Ramp Festival. Truman came away impressed by his oratorical prowess. From this beginning Gov. Clement got invitations from Southern, and particularly, Northern States to deliver speeches at State meetings, finance dinners, etc. The whole thing culminated in the selection of Governor Frank Clement as the Key-note orator at the Democratic National Convention in 1956.

"Fight and Forget"

Someone rather wisely said that a successful politician is 'one who fights and forgives'. The political struggle between various factions in the Democratic Party in Tennessee in 1956, was intense. However, when the struggle came to an end with Senator Kefauver running as the Vice-Presidential candidate with Adlai Stevenson running for President, all party difficulties were forgiven, even if not forgotten. According to Press reports, it was "Tennessee's most powerful and influential Democrat who brought peace within the ranks — Herbert Walters." It resulted in the Democratic Delegation following explicitly the resolution presented by Herbert Walters at the pre-convention meeting, whereby they agreed to give unified support to whatever nominees were selected.

State Politics Among Democrats

Around June, 1958, Tennessee State politics began to boil and seethe once more. In the Democratic Party there



Visit to Oak Ridge Research Reactor, ORNL. October 19th, 1958. Left to Right: Cayce Pentecost; Herbert S. Walters; Buford Ellington; Dr. John Swartout, Deputy Director, Oak Ridge National Laboratory; Senator Lyndon D. Johnson; Senator Albert Gore; S. R. Sapirle, Manager, Oak Ridge Operations, AEC.

was a race for the Governorship brewing. At one time there were six candidates seeking the Democratic nomination: Buford Ellington, Judge Andrew (Tip) Taylor, Edmund Orgill, Clifford Allen, G. Edward Friar, and John Hickey. The Democratic Nomination, in Tennessee, is tantamount to election. The campaigns of the different candidates need not be reported in detail. It might be mentioned that Herbert Walters strongly supported Mr. Ellington, and upon one occasion he stated: "my prediction is that Buford Ellington will be the winner in tomorrow's gubernatorial contest, by a good majority. . . . apparently, from intensive investigation, he has picked up much strength in recent days . . . it should be noted that an independent poll shows that Ellington, who has received the support of the Clement administration, has 42 per cent of the total vote and is 14 per cent ahead of the nearest candidate . . . this should mean a majority of more than 100,000 in a vote of 800,000." However, we should also state that in the State contest for governor, there was also a contest for Senatorship between Albert Gore and former Governor Prentiss Cooper, which was won by Gore. The campaign resulted, as was expected, in a certain atmosphere of bitterness between the supporters of the different candidates. But that situation was soon cleared and the Democratic State-wide campaign began in earnest after the nominations in the Primary. While it did not appear that there would be much competition from the Republican Party, since there had been only two Republican Governors in the history of the State, there was no let-down in effort on the part of the Democrats. Herbert Walters was, as usual, very much in the picture, since he was National Democratic Committeeman from Tennessee, as well as being Chairman of the Democratic State Committee. On October 20, 1958, at the State Fairgrounds Coliseum in Nashville, a "Rally and Dance" preceded by a Democratic Dinner, was held in behalf of the Hon. Buford Ellington, candidate for the Governorship; the Hon. Cayce Pentecost, nominee for Public Service Commissioner, and Sen. Albert Gore, a candidate for re-election to the United States

Senate. The Hon. Joe E. Carr, was the Master of Ceremonies, and among those seated at the Speakers table was Herbert Walters, of Morristown. But the important feature was the principal address of the evening by the Hon. Lyndon B. Johnson, then Senator from the State of Texas. He was introduced by the Hon. Frank Clement, Governor of the State of Tennessee. The dinner was a huge success, but it might be proper to mention a situation in connection with the event by quoting a letter dated October 23rd, 1958, from the LBJ Ranch, at Hye, Texas: "Dear "Hub":— "if any one man was responsible for bringing me to Tennessee, it was you. And it is something that I will never forget. I have known many people in my life but none who were finer or warmer friends than you. I want you to know that any time I can ever be helpful in any way you have only to call upon me and you will find me in your corner with all the resources at my command. One thing is clear. The Democratic Party in Tennessee clearly reflects some of the finest leadership in the nation and that leadership, to my way of thinking, comes from a man named Herbert Walters. Lady Bird and I both wish we could find adequate words to thank you. All we can say is that the trip was wonderful and we will always be grateful to you. Sincerely, (signed) Lyndon." (Lyndon B. Johnson) Incident II, Buford Ellington won the race for Governor by a majority of some 112,475.

Walters Backs Dossett and Moulton

Strong bi-partisan support from all parts of Tennessee for appointment of D. W. Moulton, City Manager of Kingsport, as State Highway Commissioner, and Burgin Dossett, Johnson City, as Commissioner of Education, in Governor Ellington's Cabinet. This followed almost immediately after Governor Ellington's election. Nashville papers made the statement that Herbert Walters, of Morristown, highly endorsed both gentlemen. Moulton was Maintenance Engineer for Walters when he was State Highway Commissioner in 1935. Walters described his work as outstanding then and later when he was City Engineer for



The Harry S. Truman Dinner, given by the Democratic National Committee, at the Sheraton Park Hotel, Washington, D. C. February 22nd, 1958, in honor of Former President and Mrs. Harry S. Truman. (from left to right): Frank G. Clement, Herbert S. Walters, President Truman, Buford Ellington, Joe C. Carr.

Chattanooga and Head of the WPA construction, and still later as Kingsport City Manager. In that position Moulton kept up street, water and sewer development along with the increase in population. Kingsport, like Morristown, has more than doubled its population and Moulton has done an outstanding job. Burgin was described by Walters as the leading educator in the State of Tennessee: "he has had wide and varied experience, having served as school teacher, commissioner of education and college president . . . the educational plans he adopted for Tennessee, as Commissioner, were copied, I believe, by some fifteen different States, as a model plan for a State system of education." The two gentlemen were appointed by the Governor.

Invited to Alaska for Governor's Inauguration

Herbert Walters' position in the Democratic Party led to innumerable invitations to attend public ceremonies, dinners, banquets, and special meetings, in Washington, particularly, and of course in every section of Tennessee. But one honor was especially interesting: an invitation to attend the Inauguration of William Allen Egan as Governor, and Hugh Joseph Wade, as Secretary of State, in Juneau, Alaska. The ceremonies were scheduled to take place January 17th, 1959. It happened that Herbert Walters found it impossible to attend.

Another important invitation received by Herbert Walters was that of the 1959 Democratic National Victory Dinner held at the Sheraton-Park Hotel in Washington, February 28th, 1959. This dinner was to honor newly-elected Democratic Senators, Governors and Congressmen who in the previous November election 'helped win one of the great Democratic victories of all time.' On the Menu Card was this prophetic statement: A continuance of the vision, wisdom, and hard work which won in 1958 will place a Democratic President in the White House in 1960. To that end let all our efforts from this day forward be dedicated.

On September 10th, 1959, what was expected to be the largest Democratic gathering ever held in the State of Tennessee, was held in the State Fairgrounds Coliseum,

Nashville. At this important Democratic fund-raising dinner, Sen. Stuart Symington, of Missouri, was the principal speaker. In connection with the dinner, Mr. Neil Cunningham, Nashville Banner columnist, sent a clipping of his report to Herbert Walters. It read: "after hearing Sen. Stuart Symington speak at the Democratic dinner, it appears that Senator Lyndon Johnson is still the favorite Presidential candidate of the majority of Tennessee Democrats. Symington was here by the invitation of the Democratic Executive Committee to 'make his pitch' for the Tennessee votes at the national convention . . . it was the opinion of many that his speech left much to be desired. His speech was dull and interrupted by applause only at the beginning when he praised Tennessee Democrats past and present. It was natural that the Democratic leaders present should compare Symington with Johnson, who spoke here a year ago at a similar fund-raising dinner. It was obvious to most that Symington lacked the speech-making ability and stage presence of Johnson. Although a handsome and distinguished looking man, the Missourian also lacks the fire and vigor of the Texan."

In line with Herbert Walters' interest in Democratic politics, not only in his native State of Tennessee, but throughout the entire South, particularly, he was invited to attend a South Carolina Democratic Party Rally. The date was November 20th, 1959, and it was held at the Wade Hampton Hotel in Columbia. It was a rather notable meeting, with two former Governors, both of the State's Senators and five of the six Congressmen being present. The principal speaker was United States Senator Herman E. Talmadge, of Georgia, who was introduced by South Carolina's Governor Ernest F. Hollings.

At the Wilson Day Dinner held in Knoxville by the Knox County Democratic Women's Club, on March 19, 1960, Herbert Walters was asked to introduce the principal speaker, Congressman Hale Boggs, of the State of Louisiana.

Again in Knoxville, on September 30, 1960, Herbert

Walters, as State and National Democratic Committeeman, was again asked to attend a Democratic Dinner held at the Andrew Johnson Hotel, in Knoxville. He made a few introductory remarks, which were followed by addresses by Governor Ellington, Senator Albert Gore, and finally by the address of Vice-Presidential Candidate Lyndon B. Johnson.

On April 8th, 1961, again at the same Coliseum in Nashville, another Democratic Dinner was held — the Jefferson-Jackson Day Dinner — with Lyndon B. Johnson, now Vice-President of the United States, again the principal speaker. This time he was introduced by Governor Buford Ellington. And again, as Democratic National Committeeman, Herbert Walters was seated at the Guest Table.

National Election

The National Election which gave the Presidency of the United States to John F. Kennedy, and the Vice-Presidency to Lyndon B. Johnson, needs no additional discussion in these pages. It is now a matter of history.

On January 20th, 1961, the Inauguration ceremonies were held in front of the Capitol Building in Washington. It is not necessary to mention that Herbert Walters received one of the impressively engraved invitations to the Ceremonies.

HOW HIS FRIENDS REGARD HERBERT WALTERS

Herbert Walters has many friends in commercial affairs, in the legal profession, in banking circles and in political and State activities. We are reprinting a few excerpts from written statements of some of them:

One of his friends who occupies a high position in the business world says: "One of the richest experiences that I have had has been to know Herbert Walters. Unfortunately, my acquaintance with him would merely reconfirm what everyone knows — that he is a citizen who is more deeply conscious of his obligations and responsibilities than he is of his rights. Never have I seen him display ill-will, envy or a lack of sympathy. It is no secret to any of his friends that whenever there is anything worthwhile to be done, Herbert Walters is the first person that you can always count on. Certainly, his everyday deeds are what many only autobiographically profess."

A newspaper editor has this to say about Herbert Walters: "he is one of the unusual men of Tennessee in the mid-century. By his uncanny business judgment, his tireless energy, his determination to do a top job at whatever he undertakes, coupled with a high sense of loyalty to his friends and his political associates, he has carved for himself a niche in the current history of his State. His record as a public official and his devoted service to the Democratic Party, on both State and National levels, has given him a nationwide acquaintance, not only among the rank and file, but the high and mighty. I am happy to have numbered him among my personal friends through the years."

Bankers in wide-spread areas have contributed much flattering information concerning their associations with Herbert Walters. For instance; from a banking official in a State many miles from Tennessee: "I know of no person who has given of his talents more for the welfare of others as has Herbert Walters. I can say without reservation that my business and personal association with him has been one of the most stimulating and inspiring experiences of my life. I shall always treasure this association as a pattern and goal to strive for in the conduct of my own personal affairs . . . it has been said that you can judge a man's character by the reaction of dogs and children. My dogs have not been fortunate enough to know Mr. Walters, but my children think of him as one of our family . . . In my business travels with him I have watched him on any number of occasions stop on a busy street to offer his kindness and warmth to an obviously poor child, and always on parting, after searching into his pocket, to grasp the child's hand, leaving in the small hand a coin . . . Herbert Walters is known in the outside world by his obvious, outstanding leadership in business, social and political affairs. His untiring energy directed to these affairs and his unique ability in 'seeing a job through', are sufficient in themselves to mark him a great man. I, and I am sure others who have worked with him, marvel at his abilities in these areas . . . but his true greatness lies in his warmth, understanding and unselfishness . . . this may not be well known in Morristown, but while most families are enjoying the gifts and surprises of Christmas and Easter mornings, you will find Mr. and Mrs. Walters circulating among the economically poor sections of Morristown passing out gifts and good cheer to the less fortunate. Instances such as this are too numerous to mention individually. But one comes to mind which only recently occurred. A young lady who had the burden of providing for her family, but at the same time was working long, extra hours in an attempt to educate herself, too, walked into Mr. Walters' office seeking part-time work to supplement her regular earnings. Obviously

poorly clothed, Mr. Walters called Mrs. Walters on the phone, and Mrs. Walters spent the afternoon buying the young lady a new wardrobe . . . there are many things involving our personal relationship which I could go into and which would explain my deep affection for Mr. Walters. I shall always be grateful for his personal advice during the years I served as President of the East Tennessee Natural Gas Company. Mr. Walters was one of the organizers and was Chairman of the Board of that Company . . . those who are privileged to be friends of Mr. Walters can rightly be proud, because close friendship is not an 'open house' affair with him. A person who does not measure up to his high and ethical standards is not in Mr. Walters' circle of friends. His strength in opposing questionable situations and people is as great as his otherwise normal, congenial manner. It doesn't take Herbert Walters long to spot a 'phoney' and to let his convictions and firmness in such a situation be known in a most rough-minded way, to say the least. In short, he epitomizes the expression: he's a man's man!"

Another Banker has this to say: "I have had the pleasure of serving on several Boards of Directors of several banks and businesses, as well as serving with him as a trustee of King College, in Bristol, Tennessee. Herbert Walters is a man of unusual ability and foresight. He weighs every decision before giving his opinion. He is a natural born leader, and, at the same time, he always listens and considers the opinion of others. He never seeks publicity, but always has a helping hand for any one who needs it. Many times, when I have a problem of an important decision to make, I will call on him for advice . . . his business interests are numerous, but he always finds time to give to religious, educational and civic affairs. Busy as he is, he has a keen sense of humor, and loves to be with people . . . I consider it a great privilege to be a close business associate and friend of his."

Still another banker has this to say about Herbert Walters: "a few times in one's life he has the opportunity

to come in contact with an individual who automatically inspires confidence and respect. Herbert Walters is such a man, whether it be in the business world and social activities or in the realm of politics. His word is his bond and his advocacy of any question means that it is one which can be accepted by the public as being worthwhile and sound. His warmth of personality, his ability to walk with both kings and the common man, and his sincere devotion to our country, typify this great man.”

Another of Herbert Walters' Banker friends says: “I know of no man in Tennessee whom I think more of than Herbert Walters, and he deserves all the nice things that have been said about him or that will be said about him. I have had the pleasure of knowing Herbert Walters for a number of years, and am glad to have this opportunity to tell the public what I know of him and what he has accomplished. Herbert Walters has been in everything in Tennessee and this part of the country, and has done a lot of good with everything in which he comes in contact. I am glad he is my friend, and while I do not see him as often as I would like, he is an outstanding man and I admire him for what he has accomplished.”

A prominent personal and political friend of Herbert Walters makes the following comment: “Mr. Walters is one of the finest men I have ever known, and I am happy to say that I have a wide acquaintance of friends, which ranges from Presidents of the United States to people in every walk of life. He combines the fine qualities of leadership and humbleness, along with unusual ability, and unsurpassed interest in helping his fellow-man. I have never known him to intentionally endorse a false or fraudulent idea, and to the contrary, everything he attempts to do is set to the idea of that which is good and helpful.”

Another political friend says: “I wish I could put into words the warm feeling and deep respect I have for Herbert Walters, and I believe this feeling is shared by every one who knows him. I think that one of the best tributes to him came from one of his competitors, Mr. Harding E.

Williams, President of the Bank of Commerce, in Morristown: Mr. Williams' remarks ran somewhat as follows — 'Mr. Walters and I get along fine. We are competitors, but I realize we must have competition. Mr. Walters is a big man; he would never try to influence the officials against me because of his close association in politics. You don't get to be a big man doing things like that.' Also, from my own personal experience I would like to say that in all my dealings with Mr. Walters, as a State Official, he has never used his political connections to make any demands. He has asked me, his attitude has always been "I know you will do it if you can, and if you can't, I will understand."

Another high State Official makes these remarks: "I am very much pleased that 'The Herbert Walters Story' is being written. He is certainly a very outstanding Tennessean, and deserves to be placed in that classification. It was this writer's privilege and good fortune to meet Mr. Walters and be with him at the dedication of the fine concrete bridge over the railroad tracks at Henderson, Tennessee, more than twenty-five years ago. Mr. Walters was then Commissioner of Highways for the State. Both of us made talks to several hundred who had assembled there for the event. The last time I saw Mr. Walters was in Knoxville. I told him in the presence of my associates that he had made the speech and I made the talk. Needless to say, Mr. Walters has made a great success as a business man and as a civic and political leader. I also regard him as a man of the highest integrity. I wish it was possible for me to be with him more as the years go by."

In The Educational World

Following are excerpts from written remarks concerning the position Herbert Walters occupies in the education world

"Because of my deep and sincere admiration for Herbert Walters, I genuinely appreciate the opportunity to give my estimate of his character and standing among great Tennesseans. All who have had the high privilege of being associated with him would know that his outstanding quality is his supreme and unquestioned integrity. This

quality is evident in his personal life, his business life, and his interest in the social, charitable and political life in Tennessee. He is warm-hearted, charitable and unpretentious in his association with his fellow-men. He has never professed a friendship or interest which he did not feel. His judgment of men is never severe. He is, in fact, when viewed in all the aspects of moral, personal and social character, one of the most genteel and generous men I have ever known. His integrity of character, whatever the circumstances, whatever the temptation, whatever the provocation, is absolutely unassailable . . . to me one of the finest aspects of this integrity is his basic modesty and humility. In the thirty years I have been honored with his friendship, I have been deeply impressed with the fact that, in spite of his tremendous influence and popularity in Tennessee, he has consistently avoided the spotlight of personal and political honors. He is a man who walks with kings and keeps the common touch. This is truly the criterion of greatness . . . Herbert Walters is a man who takes pride in seeing others receive recognition, but he has never sought personal recognition or approbation. For example, to my knowledge he has repeatedly given aid to young people struggling to obtain an education, but has studiously avoided attention being called to his benevolence. His aspect of character which has made lasting impressions on those who have been associated with him in politics or other forms of public service has been his devotion to high principle in government. I have never known him to forsake those principles even in the heat of a political campaign. In spite of his high position in public life he has consistently placed the welfare of his State above partisan or personal consideration. He is above all things, a great Tennessean, truly a great statesman, with unexcelled character. Emerson said: 'an institution is the lengthening shadow of a man.' Tennessee has been the institution of service for Herbert Walters, and the impact of his unselfish service to his State will become more profound as the shadows of the influence of this great man continue to lengthen."

What His Pastor Has to Say About Herbert Walters

Dr. Samuel H. Hay was for thirty-six years the Pastor of the First Presbyterian Church of Morristown. Herbert Walters has long been a member of that church, and Dr. Hay has the following to say:

“As Pastor of a good, strong church, the Morristown First Presbyterian Church, of which Herbert Walters is a member, I was of course called upon to serve on some of the Committees and Boards of the denomination at various levels. Here I came in contact with lay churchmen of great ability. But in my long experience with men of power I never dealt with one that was superior to Herbert Walters. He somehow reached above measurement in terms of talent and ability, and had to be measured in terms of genius. And what is genius? I am sure I do not know, and I think no one knows, not even the relatively few people who possess it or are possessed by it. All that is known is that when genius confronts a problem or task, the problem is soon solved or the task performed by some strange magic. There seems to be some hidden energy emanating from genius to get things done. If men are to be influenced, it gets done. If a project is to be worked out, it gets done. If money is to be raised, it gets done. The genius addresses himself to it, and it gets done. Obstacles melt before him. So it is with Herbert Walters in things I have observed him doing, and also in things in which I have worked along with him. He was, during the years I knew him best, so modest and unassuming that I was, in matters where we collaborated, almost tempted some times to suppose that I myself had done the things in which he was the real power . . . (here Dr. Hay writes of the financial rescue of King College, in Bristol.) He says: “some of the great and good men who had sponsored King College, as for example, Mr. E. W. King, of Bristol, had grown old and inactive or had passed away. The College needed at this juncture a stabilizing center. And some of us were guided by Providence to secure Herbert Walters as Treasurer of the Board and of Endowments such as they were, and to help raise new

endowments and various other capital funds. With Herbert Walters there, confidence was quickly restored, and he labored with distinguished members of the Board and the College President, Dr. R. T. L. Liston, himself a great servant of the Church, until every debt was paid and a new million dollars added to the endowment plus the many thousands of dollars invested in the improvement of the plant, including an Administration Building, which Herbert Walters himself largely gave and which was dedicated to the memory of John Frederick Hay (Dr. Hay's son), who lost his life in World War II. The College gratefully bestowed upon Mr. Walters the top degree of Doctor of Laws. Some men of great strength are unprincipled and sweep obstacles aside in ruthless fashion, without regard to honor or kindness. But I think it is a crowning distinction of Herbert Walters that he toes the line of honesty with studied care, and with helpfulness to all within his reach. I once asked him why he kept exerting himself when he was in a satisfying financial condition. He answered that he was just trying to help East Tennessee. His personal benefactions too, monies he gave to many causes, have been phenomenal. But to me his most endearing trait is his loyalty to those with whom he is associated, or to whom he is attached in any way. When the great Tennessee Senator McKellar became too old really to carry on, he nevertheless ran once again for the Senate. I was riding along with Herbert Walters one day during the election campaign, and I asked him did he know that the Senator could not be elected again in his enfeebled condition. He replied, yes, he knew it, but that he and the Senator had been friends and had worked together, and he would stand by the Senator in his approaching defeat. And so he did, with all his might, despite the risk the defeat might bring to his own political prestige. However, he quickly recovered from the loss and soon had his hold again upon Tennessee affairs, to the vast benefit of the State and its people. He sought no political office beyond some quiet key position in the Democratic Party from which stance he could exert his influence."

BENEFACTIONS

Even if Herbert Walters wished to get credit for his innumerable benefactions and gifts, both private and public, he would permit them to be mentioned, never to be exploited. However, there are a few examples of his charitable nature which we cannot refrain from mentioning. As has been mentioned, King College, in Bristol, Tennessee, benefitted greatly because of Herbert Walters' tireless efforts in connection with an endowment campaign. Dr. R. T. L. Liston, President of the College, furnished us with information concerning the part played by Herbert Walters. In the autumn of 1943, Mr. Walters became a Trustee of King College, being elected by the Synod of Appalachia. At that time, King College had buildings valued at a little more than \$200,000, about forty students, an endowment of \$40,000, and a bonded indebtedness of almost equal amount. It was not recognized by any accrediting association, and it had a library of about 5,000 volumes. Its annual budget for the operation of the college was about \$35,000. But when Herbert Walters became Treasurer of the Endowment Fund, working with Sam H. Sells of Johnson City as Chairman of the Investment Committee, and associated with such men as Dr. Huston St. Clair, of Tazewell, Mr. R. S. Kennedy, of Knoxville, and Dr. James L. Fowler of Chattanooga, things began to happen. People felt that money committed to Herbert Walters would be safe. And the Col-

lege almost immediately began a campaign to raise funds, seeking \$250,000. A year before the expiration of the period in question, the Campaign Committee made its final report, indicating receipts of \$468,000. At this same time, the College applied for and received the regional accreditation which had for more than a generation been unsuccessfully sought. Mr. Walters was the leader who made possible the financial arrangement which brought to King College an outstanding chemist and erected a laboratory building, with the ultimate result that King College's Ph.D's in chemistry, relative to the number of male graduates was multiplied by thirty, so that in this matter, King College stood among the first seven colleges in the United States, and for the period from 1950 to 1961, the University of Tennessee Medical College reported that the graduates of King College entering all medical colleges stood higher than those of any other Tennessee College or University. When Mr. Walters passed on his duties as Treasurer of the College Trustees, the value of King College plant had been multiplied almost four times, and the value of the Endowment had grown to be more than thirty times what it was when he took over this responsibility. The academic change in the College under this leadership may be judged by the fact that the per capita circulation of library books came to be twelve times as large as it had been at the time Mr. Walters came to this position. The great service of Mr. Walters to King College was recognized by the Trustees in bestowing upon him the highest honor within their power, the Honorary Degree of Doctor of Laws. Mr. Walters took for espousal the cause of King College at a time when its academic standing, its financial credit and its hold upon its constituency were very low indeed. His efforts and those of other men who were associated with him have made King College a vigorous and hopeful institution. Perhaps this change can be stated otherwise: in 1943, King College was probably the weakest of the sixteen Presbyterian Colleges in the South. In 1956, it was probably sixth in financial resources, and its academic and other standing was perhaps similar.

Since his enrollment as a student in the University of Tennessee, Herbert Walters has always had a significant interest in the institution. Upon numerous occasions he has made special contributions to the various departments of the University. He established a substantial library endowment in honor of his Father and Mother, as well as other direct and indirect donations. Dr. A. D. Holt, President of the University, gives us some information concerning Herbert Walters' association with the University: "he was a Charter Member of the University of Tennessee Development Council whose function it is to give us guidance in the soliticitation of gifts and grants for our institution. Not long ago, after the Council was organized, I asked Mr. Walters for some suggestions concerning possible funds with which to purchase a \$500 piano for our new dormitory for Freshman girls. Many of these young ladies were accustomed to playing occasionally on the piano and all of them would enjoy the opportunity to gather around the piano from time to time to join in the singing. Without batting an eye, Mr. Walters said that he did not know where I could get \$500, but he did know where I could get \$1,000. This kind of an answer caught me off balance, but when I recovered, I asked him where? With one of his heart-warming smiles, he pointed to himself and said that he and Sarah would be delighted to make such a contribution to the enjoyment of the hundreds of Freshman girls who would occupy our new dormitory through the years to come."

In the early part of 1961, Herbert Walters added materially to the University of Tennessee Library endowment fund which he some time ago established in memory of his father and mother. Mr. Walters' father, reports a Morristown newspaper, was a Baptist Minister and a Knight Templar at White Pine. Books bought with the proceeds of the endowment fund bear a specially designed bookplate, honoring the memory of the late Rev. and Mrs. Walters. The Walters Endowment was established as part of the current Library Development Program at the Uni-

versity. Through the program, the University has received approximately some \$20,000 and over 9,000 books. Many of the gifts have been presented, as in the case of Herbert Walters, as memorials for relatives of the contributors.

Herbert Walters has always been alert in his recognition of situations of difficulty and disaster, which demanded immediate solution. His contributions in times of distress or catastrophe have been too frequent to enumerate. As an example, back in January, 1957, in answer to an American Red Cross appeal, Herbert Walters sent to Knoxville for shipment to the Louisville, Kentucky flood area two large gasoline pumps used by his company, Walters & Prater, in highway construction. The pumps were extremely effective in pumping water from flooded buildings and streets.

But it is in the general routine of benevolent institutions, in charitable funds and other worthy causes, that Herbert Walters is most interested. In his native city of Morristown, no undertaking, civic, educational or otherwise is attempted without the advice and interest of Herbert Walters. For a number of years, he has been one of the most influential sponsors of the United Fund operating in this city and county. This past year, the goal of the Fund was over-subscribed to the astonishing amount of nearly \$30,000. His interest in the American Cancer Society has been recognized throughout this section of the country, and at its annual meeting, October 14, 1962, Mr. Walters was elected to life membership in the Representative Assembly of the American Cancer Society, Tennessee Division, Inc. He was given this recognition since he served as an Officer, Board Member, and District and Regional Crusade Chairman upon several occasions. In such admirable civic and Statewide activities, Mr. Walters has had a keen and responsive interest. His advice and counsel is sought in practically every charitable effort instituted in the community. To enumerate these interests would be distasteful to him, and we found difficulty in obtaining his permission to allow even a partial list to be included in this manuscript.

APPENDIX

In the following pages are incidents, honors and special activities in the life of Herbert Walters, his forebears, and his family, which do not specifically fit in with the other sections of the Story, but which are of considerable interest in compiling this biography. Therefore, we are including them in this special section "Appendix".

*Abbreviated Sketch of the Life
of Herbert S. Walters*

Herbert Sanford Walters was born at Leadvale, Tennessee Nov. 17, 1891, the son of The Rev. John Milo and Lula (Franklin) Walters. He received his education in the Public Schools of Jefferson County, Tennessee, at Baker-Himmell School in Knoxville, Castle Heights School in Lebanon, Tennessee, at Carson-Newman College, Jefferson City, Tennessee and at the University of Tennessee in Knoxville.

From 1911 to 1916, he was employed in the Engineering Department of the C.M. & St. P. Railway and the Milwaukee & Illinois Central Railroad. Returning to Tennessee, he received his first contact with Engineering and Construction work in the University of Tennessee, and at the completion of his studies there, he became active in the agriculture and and livestock activities, from 1916 to 1919. In 1919 he organized the construction firm of Harrison, Walters & Prater and in 1926, the firm became Walters & Prater, Inc., engaged in road construction work in Tennessee, Virginia and the Carolinas.

Herbert Walters served during the 1933 General Assembly as a member of the Tennessee House of Representatives, the only political office he ever held. During 1934-35 he served as Commissioner of the Tennessee State Department of Highways and Public Works, and resigned in

order to devote his time to his personal business. Along with other activities, Mr. Walters found time to take part extensively in the general affairs of his community as well as the State of Tennessee. In 1933 he was honored by election to the office of Vice-President of the Tennessee Road Builders Association.

Herbert Walters is at present Chairman of the Board of Directors of the Hamilton National Bank, of Morristown, having been associated with the bank since 1932. He has served as Director, President and Chairman of the Board. He is also a Director of the Hamilton National Bank of Knoxville, The First National Bank of Rogersville and the National Bank of Newport, Tennessee.

Among his many business activities, Mr. Walters is Chairman of the Board of the East Tennessee Natural Gas Company, of Knoxville; Director of the Tennessee Natural Gas Lines, Inc. of Nashville. He is also Chairman of the Morristown Power & Water Commission to which he has devoted much time to promote the growth and expansion of Morristown since 1944. He was recently appointed a Member of the Board of Trustees of the University of Tennessee. He has been a Member of the Board of Trustees of King College, Bristol, Tennessee and has served on the Advisory Committee of Carson-Newman College, Jefferson City, Tennessee, and has been a Member of the University of Tennessee Development Committee since 1955.

Mr. Walters is a member of the First Presbyterian Church, of Morristown; he is a member of Kiwanis International; a member of Lodges of the Benevolent & Protective Order of Elks and a member of Free & Accepted Masons; the Independent Order of Odd Fellows; Modern Woodmen of the World. In the Masonic Order he is especially active in the Royal Arch Masons, in which he once held the office of Senior Warden; the Morristown Country Club; the Morristown Chamber of Commerce.

Mr. Walters is a member of the State Democratic

Executive Committee, and most of the time since 1945, he has been the National Democratic Committeeman from the State of Tennessee.

Mr. Walters was married to the former Sarah Ruckman Lockbridge, of Staunton, Virginia, July 23, 1928, and their home is 620 West Second North Street, Morristown.

Mrs. Herbert Sanford Walters

Sarah Ruckman Lockridge and Herbert Sanford Walters were married July 23rd, 1928. Mrs. Walters is a native of Staunton, Virginia, one of the five daughters of the late D. G. Ruckman and Lillian Moore Ruckman, formerly of South Carolina.

Mrs. Walters is one of Morristown's most popular and gracious hostesses, and is particularly active in every phase of social, civic and religious activity in this community. She has given much time and energy to all kinds of relief work, particularly when, during the War and immediately after, Hamblen County was maintaining, under Government direction, a program for the relief of the indigent.

Her work with the Red Cross, both locally and nationally, has been outstanding, especially in the Blood Program of the Hamblen County Chapter of the American Red Cross. This has been one of the most important projects ever attempted in this area, and Mrs. Walters is largely responsible through her cooperation with other Morristown women in making it a great success.

Mrs. Walters has been a member of the First Presbyterian Church ever since she came to make her home in Morristown, and in all the departments of a complex religious program, she has devoted a large part of her time and interests.



Little Miss Mary Kosloski, of Colliersville, Tennessee, who was chosen the 1955 March of Dimes National Poster Girl, is a niece of Mrs. Tracy W. Prater, Jr., of Morristown, and is the grandniece of Herbert S. Walters, who is shown here with Mrs. Walters. She was five years old at the time of this picture; she was stricken with Polio when she was four and a half months old, and was chosen at Memphis, Tennessee, from a number of other nominees from the six districts.

The Herbert Walters Story

It should be mentioned that Mr. and Mrs. Walters are listed in the 1962 edition of the National Social Directory, published at 624 Madison Avenue, New York City. The publication is the only recognized nation-wide social reference in the United States. Those listed in the volume are more than socially prominent; in addition to their social standing, they are among the leaders of their communities by virtue of their interest in the arts, in science, through their philanthropies and their business interests.

Tracy W. Prater

In the fields of farming and general contracting, Tracy W. Prater was for a long time active in Tennessee, where for twenty years he specialized in road building, as a member of the firm of Walters & Prater, Inc. In this firm he was associated with his brother-in-law, Herbert S. Walters.

Mr. Prater was born April 15, 1875 on Kingston Pike, Knoxville, a son of George W. and Elizabeth (Brooks) Prater. His father who was a farmer for many years, was one of the most esteemed citizens of Tennessee; he died in 1920, and his mother died in 1890. Both parents were natives of the State of Tennessee. It was in the Public Schools of Friendsville, Blount County, that Tracy W. Prater received his early education, and he also attended high school in that place. While he was receiving his formal education, he was forced by circumstances to work on a farm in order to help his family. In farming and agricultural activities he was most successful, and eventually he extended his talents into the road-building industry. In 1919 he became associated with Herbert S. Walters and the firm of Harrison, Walters & Prater, Inc. was organized and which was extremely successful in general contracting and highway construction in Tennessee, Virginia, the Carolinas and Georgia. In 1926, the firm became Walters & Prater, Inc. with official headquarters in Morristown, Tennessee.

Mr. Prater's political alignments were with the Democratic Party, though he never at any time sought political office. He was a member of the Free & Accepted Masons, also an energetic worker in the Tennessee State Contractors Association, through the medium of which he accomplished much to advance the conditions in the industry in which he was interested. His religious faith was that of the Presbyterian Church, of which he was always a devout communicant. In all of the activities Mr. Prater's work was of such high quality as to win for him the esteem and respect of his associates, and those who worked under his direction. On October 13th, 1915 in Jefferson County, he married Elizabeth Walters, a sister of Herbert S. Walters, with whom he was in business. Three children were born to the couple: Tracy Wilson Jr., born December 15, 1917; George Herbert, born Jan. 17, 1920 and Sarah Louise, born July 21, 1921. Mr. Prater died March 30th, 1956. At the time of his death the following tribute was paid to his memory:

The Tennessee Society, Sons of the Revolution, records with regret, the death of its distinguished member, Tracy Wilson Prater, at Ten Mile Creek, Concord, Knox County, Tennessee, the family home, on March 30th, 1956. Eighty-one fruitful years filled the life of this man, born April 15th, 1875, in this County, the son of George Washington Prater and Elizabeth Sarah Prater.

Through his mother, T. W. Prater traced his descent from Lieutenant Moses Brooks, Revolutionary War Soldier, who, from Washington County, Virginia, enlisted, along with his father, in Col. William Campbell's Regiment, and fought in the Battles of King's Mountain and Guilford Court House.

Mr. Prater was actively engaged as a farmer and contractor throughout his adult years. In 1955, he was honored as a 50-year Mason.

The Herbert Walters Story

In community affairs, Mr. Prater never shirked the positions of leadership, which came naturally to him. For 13 years he represented his home district as a Member of the Knox County Quarterly Court. The majority of the members of this County governing body were Republicans, but as a Democrat, he was chosen a member of and elected Chairman of the Finance Committee, the tax rate and budget making group of the Court.

In politics, Mr. Prater was elected Chairman of the Knox County Democratic Executive Committee. He was influential in State Democratic political affairs. He is survived by his widow, Mrs. Elizabeth Walters Prater, of Knoxville; two sons, Tracy W. Prater, Jr. and George Herbert Prater, of Morristown, and one daughter, Mrs. A. G. Mott, of Memphis.

This Society was honored by the membership of Mr. Prater, and to his family, we hereby record and express our sympathy.



The residence of Mr. and Mrs. Herbert S. Walters, in Morristown, Tennessee. The original structure was built in 1865 by the late Judge Robert McFarland, and has since been remodeled.

The Walters' Residence in Morristown

The residence of Herbert and Mrs. Walters is a mansion at 620 West 2nd North Street, Morristown. It is an example of Victorian architecture, and was built in 1865 by the late Judge Robert McFarland, a Confederate veteran of the War Between the States, and one-time Justice of the Supreme Court of Tennessee. The house was originally frame and was on a lot which extended from Mars to Church Streets, on West 2nd North Street, Morristown. Dr. and Mrs. J. C. Freels acquired one-half of the lot before the Walters purchased the house itself, which they proceeded to face with yellow pressed brick. Before his appointment to the Supreme Court, Judge McFarland was an eminent lawyer, and under his tutelage a number of young lawyers from all over East Tennessee, Western North Carolina and Southwestern Virginia studied and were prepared for admittance to the Tennessee Bar. There being no law schools at the time, this was the usual procedure in order to become an accredited attorney. Judge McFarland's appointment to the Supreme Court occurred at an early age, and he served with great distinction. Mrs. McFarland died at the age of fifty-two in 1882, and Judge McFarland died at the same age in 1884. They were originally buried in one corner of the lot, but later were re-interred in Morristown's Old City Cemetery.

The original mansion has been enlarged and re-modeled, but there still remains that unmistakable Victorian atmosphere and, with its ancient trees and boxwoods, it seems properly named: "Boxmoor". It is one of the most imposing residences in Morristown.

Incidental Honors Given Herbert Walters

The October 1, 1934, issue of "Nation's Commerce" appears the following announcement:

Of interest to the banking and business world of Morristown, Tennessee, was the recent election of Herbert S. Walters, prominent business leader and contractor, as President of the Hamilton National Bank. Mr. Walters succeed the late Jesse Shelton, as President of the Institution, and it is felt that his choice for the post is a thoroughly sound one, and places at the head of the bank an executive of the highest ability, who has a thorough understanding of banking and also of the articular needs of the territory the bank serves. He is a nationally known construction engineer and a member of the firm of Walters & Prater, Inc.

(Today, Herbert Walters is Chairman of the Board, of the Hamilton National Bank, of Morristown and a Director of the Hamilton National Bank, of Knoxville; the Hamilton National Associates, of Chattanooga; the First National Bank of Rogersville, and the National Bank of Newport.)

As early as 1941, Morristown was experiencing "growing pains" to the considerable degree. In anticipation a huge increase of area and population, a group of Morristown business men, headed by Herbert Walters, incorporated a program "The Morristown Educational and

Recreational Association.” Other members were Doyle M. Wallace, William C. Hale, Claude A. Rogers and W. E. Hodges. Morristown then was a quiet town of some 8,000 population, but the sudden spurt in industrial expansion particularly, shoved that figure to better than 13,000 in 1950, when Morristown became known as “the fastest growing city in Tennessee,” and in 1960 it had reached a population figure of some 20,000 to 25,000. During this growth, (in 1954), The Morristown Educational and Recreational Association — MERA — constructed a brick building facing the Morristown High School Gymnasium. The cost of construction and the furnishings represented an expenditure of around \$150,000. In 1960 the name of the center was changed to The Talley-Ward Recreation Center, in honor of Edward R. Talley and Calvin Ward, two soldiers of Hamblen County in World War I, who were awarded the Congressional Medal of Honor. Hamblen County was the only County in the entire United States that could boast of having two of its citizens awarded this medal.

The Tennessee Press, on January 22nd, 1959, issued the following statement: “Herbert S. Walters, banker, contractor, civic leader and Tennessee National Democratic Committeeman, has been named East Tennessee Chairman of the 1959 American Cancer Society Crusade, by James L. Bomar, Jr., Tennessee Crusade Chairman. The joint fund-raising and educational Crusade is held in April each year. A rather lengthy article follows this announcement, with a number of laudatory paragraphs on his life, his accomplishments and his position in the civic, social and political world. Mr. Waters’ district is number five, and he will be responsible for the Crusade in 25 Counties. The 1959 slogan was ‘Guard Your Family — Fight Cancer with a Check-up and a Check!’ He said: “this slogan is particularly appropriate since it is estimated that two out of every three families in America will be stricken with cancer, the

disease being predicted to strike one out of every four Americans now living. The Tennessee Crusade Goal is \$500,000; this is a modest and realistic goal in view of the fact that cancer took the lives of 4,137 Tennesseans during 1957 alone." He closed his comments with the explanation that the American Cancer Society attacks this major health problem through its three-fold program of Research, Education and Service.

Announcement was made August 13th, 1959, that Herbert Walters was voted an important 'Insurance Post', according to Tennessee newspapers, which said: "Mr. Walters has been named a Director of the American Educational Life Insurance Company. The announcement was made by Frank G. Clement, the Chairman of the Board of the recently chartered Company. Financial assistance to private education is an announced objective of the Company, which will be accomplished through Educational Foundation, Inc., a companion operation of the Insurance Firm. Initial investors in the insurance company will allocate 20 per cent of the purchased stock to the Foundation designating the private educational institution to receive subsequent earnings from the non-voting stock thus donated."

On Dec. 7th, 1961, a Dyersburg, Tennessee Banker was elected President of the Tennessee Fire & Life Investigative Association, established to combat arson and other forms of destruction. H. G. Roberts, President of the Dyersburg Bank & Trust Company, was named head of the organization, whose incorporators included Herbert S. Walters, Morristown; E. R. Cotter, Chattanooga; H. F. Jarvis, Knoxville; Henry T. V. Miller, Memphis and J. B. Avery, Jr., Alamo. Harry S. Avery, the group's chief investigator and executive Vice-President, said the non-profit organization's main purpose is to offer investigative services to

Insurance Companies and others who are members.

Since 1948, Herbert Sanford Walters has been selected for mention in the exclusive "Who's Who in America". It has been estimated that the odds are 3,000 to 1 against having one's name included in the book.

*Herbert Walters' Association With
The University Of Tennessee*

Since his undergraduate days at the University of Tennessee, Herbert Walters has maintained a tremendous interest in the Institution. It would be difficult to mention in detail all the activities in connection with the University with which he has been identified. We mention a few of his conspicuous contributions in the form of time, labor, interest and bequests.

The University of Tennessee's new Development Council launched, in the early Fall of 1955, its campaign seeking contributions 'Toward a Greater U-T'. Organized the previous Fall, the Council promoting gifts and grants to fill needs of the University that can not be provided by regular sources of income is headed by Howard P. Preston, Knoxville Banker, as Chairman and Dr. A. D. Holt (then) Vice-President of the University, as co-ordinator. The Council includes business and professional leaders from all sections of Tennessee. Members of the Development Council for the East Tennessee area are Herbert S. Walters, of Morristown, banker and contractor; James R. Stokely, Newport author and landowner; Howard Preston, Knoxville banker; Fred Brown, Knoxville Department Store manager; Cecil Woods, Chattanooga insurance company president; and J. Leonard Raulston, South Pittsburg stove

company executive. The new Council has issued an eight-page booklet entitled 'Toward a Greater University of Tennessee' which lists various types of projects and programs that could be undertaken with gifts and grants. The booklet is being distributed to prospective donors, alumni, foundations, industrial and business leaders and professional firms, as well as all friends of the University.

Herbert S. Walters, a Hamblen County University of Tennessee Alumnus and member of the unique U-T Century Club, was present, according to Press reports, at the special meeting in honor of the group, held in Nashville, early in 1961. Members of the Century Club, U-T Alumni who have contributed \$100 or more to the Alumni Association Fund the past year, were special guests of the U-T Development Council at the Hotel Hermitage. U-T President A. D. Holt and Vice-President Herman E. Spivey, were the University hosts at the luncheon. Members of the Century Club of the U-T Alumni Association Fund are major supporters of the Organization's program to assist University development and growth in many areas.

On August 16th, 1962, four new members were appointed to the University of Tennessee Development Council, Dr. A. D. Holt, U-T President, announced. The four are Herbert S. Walters, of Morristown, Jessee Safley, of Nashville, K. C. Dodson, of Columbia, and Foster Arnett, of Knoxville. They will serve as ex-officio members of the Council, which promotes gifts and grants to the University.

Herbert Walters is Chairman of the Finance Committee of the U-T Board; Safley is President-elect and Arnett is a past-president of the U-T Alumni Association.

*Herbert Walters On The
Great Smoky Mountain Park Committee*

As far back as 1947, Herbert Walters has been actively interested in the development of the Great Smoky Mountain National Park. At that time it was publicized that a Committee be set up to boost improvement in the Park, among them a new Park entrance road from Sevierville to Gatlinburg and the creation of a Park Museum which would include the restoration of pioneer cabin homes. Herbert Walters, Morristown, member of the Tennessee-North Carolina Special Committee said August 29, 1947 that 'these decisions were reached yesterday in Gatlinburg. Meanwhile, the National Park Service reported from Washington that the Smokies lost 2 per cent attendance during July, but still remained America's most popular National Park, by far. Mr. Walters said to make the necessary improvements, the Smoky Mountain Park Committee's program must receive a larger allocation of national park funds, and we will seek more money for this project. The Smoky Mountain appropriation now amounts to 10 cents for each visitor, although the Park is the most popular one in America. Compare this 10 cents with an allocation of 57 cents per visitor in Yellowstone National Park, and more than \$1.00 per visitor at other American National Parks, and you will get a picture of the situation. He added that everything possible would be done to obtain more money from the park service, but that, should the Committee fail, that it would go directly to Congress for help.

In the late Spring of 1956, the National Park Service outlined a 10-year program costing ten million dollars to improve facilities in the Great Smoky Mountains National Park, Rep. Howard Baker announced in Washington. Of the total amount, \$6,993,000 will be used to construct new buildings and \$3,128,000 to construct trails and roads within the park boundary. Representative Baker's announcement came following a meeting between Park Service Director Conrad L. Wirth, Reps. Baker and Carroll Reese, of Tennessee; Rep. Shuford of North Carolina, North Carolina State Senator Bill Medford, of North Carolina and Herbert S. Walters, of Morristown, representing the Tennessee Park Commission.

On May 19th, 1961, Governor Buford Ellington reactivated the Great Smoky Mountains Park Commission, reappointing three of the members who had first been named by former Governor Frank Clement. Praising the non-salaried members for outstanding service to the State, Gov. Ellington reappointed Herbert Walters, of Morristown, as Chairman and Loye W. Miller and Edward J. Ashe, both of Knoxville. The Governor appointed two new members: Hugh McDade of Alcoa, and Col. Charles Rhyne, of Newport. They succeed Paul Mathes, of Chattanooga, and James E. Thompson, of Knoxville. Thompson resigned from the Commission in a letter to the Governor, indicating that he disagreed with the stand taken by a majority of the Commission which favored an access road to the proposed Gatlinburg bypass. In a statement to the Press, the Governor stated that he had issued an order reestablishing the Commission, which had been in existence many years, but which inadvertently was not continued in 1959. He stated that "the Commission had rendered outstanding service to the State and to the National Park Service at no cost to the State. Members may, from time to time, have disagreed, but they are sincere, dedicated men, and I appreciate their service on this Commission."

*Following are some of the Citations and Certificates
presented to Herbert Walters over a period of years*

Citations and Certificates
Presented To Herbert Walters

STATE OF TENNESSEE

(seal)

CERTIFICATE OF ELECTION

To All Who Shall See These Presents Greeting:

This is to certify That at the regular biennial General Election held on the 8th day of November, A. D. 1932—

H. S. Walters

was duly elected Floater to the 68th General Assembly of the State of Tennessee, from the 4th District, composed of the Counties of Hamblen and Jefferson, as appears from the official returns and certificates on file in the Office of Secretary of State.

In Testimony Whereof, I, Henry H. Horton, Governor of the State of Tennessee, have hereunto set my hand and caused the Great Seal of the State to be affixed, at the Capitol, in Nashville, on this 8th day of December, A.D., 1932.

(signed) Henry H. Horton Governor
Ernest N. Haston, Secretary of State
Roy H. Beeler, Attorney-General

(seal) The State of Tennessee
 Executive Chamber

Whereas, Under the Provision of Chapter 26, Public Acts of 1945, the governor is authorized to appoint members of the Board of Trustees to administer the Tennessee Teacher Retirement Law, and having confidence in the integrity and ability of Honorable H. S. Walters, of Morristown, Hamblen County, Tennessee, Now, therefore I, Jim McCord, Governor of the State of Tennessee, by virtue of the power and authority in me vested, do commission Honorable H. S. Walters to fill said office of Member of Board of Trustees to administer Tennessee Teacher Retirement Law — term three years.

dated March 31, 1946

	signed
Joe E. Carr	Jim McCord
Secretary of State	Governor

(seal) K I N G C O L L E G E
 Bristol, Tennessee

By authority of the Commonwealth of Tennessee and the Board of Trustees of King College, the Degree of Doctor of Laws is hereby conferred up

Herbert Sanford Walters

this 27 Day of May, 1947

P. H. Thacker	R. T. L. Liston
President of the	President of the College
Board of Trustees	

On the wall in Herbert Walters' Office hangs a framed letter:

American Enka Corporation
Manufacturers of Rayon Yarns
Enka, North Carolina

February 25, 1948

Dear Mr. Walters:-

Enclosed I am sending you two sample skeins of the

tion at Morristown College, this award is presented to

The Honorable Herbert S. Walters
Eminent citizen, Distinguished Public Servant,
Loyal Friend of the College, in observance of the
eightieth year of the founding of the institution,
and in celebration of the amendment of the Charter
changing the name from the Morristown Normal and
Industrial College to Morristown College, etc. etc.

(signed)

E. B. Fisher

Chairman of Trustee Board

Elmer P. Gibson

dated

president of the College

May 21, 1961.

(Plaque)

Herbert S. Walters

In Recognition and Appreciation

Whereas, those Individuals and Organizations, ever con-
scious of their obligation to mankind and our Nation, faith-
fully promote our civic and social advancement: and

Whereas, in fulfilling this great obligation, they become an
incalculable force in the promotion of our national welfare:

Now, Therefore, be it resolved that the

Morristown, Tennessee

Junior Chamber of Commerce

express in this way, their gratitude and
appreciation for outstanding service

June 29, 1961 signed

Eugene W. Ward

Matthew A. Collins, Jr.

Local Secretary

Local President

(seal)

Certificate of Appointment

The University of Tennessee

H. S. Walters

Has been duly appointed to the

Development Council

in recognition of distinguished service

The Herbert Walters Story

in advancing the program of
The University of Tennessee
Term beginning November, 1955
ending August 31, 1959

Signed

Howard P. Preston
Chairman Development Council
C. E. Brehm
President of the University
A. D. Holt,
Coordinator Development Council

433 D "Alamo" Troop Carrier Wing (M)
United States
Air Force Reserve
Brooks Air Force Base, Texas
"We serve that we may be secure"

Hub Walters
is hereby appointed an
Honorary Member of the
Alamo Wing
given this 26 Day of August, 1955
John H. Foster
Brig. Gen. AF Res.
Commander

(seal)

Commonwealth of Kentucky
Bert Combs
Governor

To all to Whom These Presents Shall Come — Greeting
Know Ye That Honorable H. S. Walters of Morristown,
Tennessee Is Commissioned a Kentucky Colonel.

I hereby confer this honor with all the rights, privileges
and responsibilities thereunto appertaining, etc., etc.

dated January 18, 1961 signed

H. H. Carter,
Secretary of State

Bert Combs
Governor

DATA CONCERNING THE
WALTERS AND FRANKLIN FAMILIES

*The Franklin Family and
Bethcar Methodist Church and Graveyard*

ABOUT two miles from the original homestead of Lawson D. Franklin, which still stands near what was the town of Leadvale, is Bethcar Methodist Church and the adjacent graveyard, in which a number of the members of the Franklin Family are buried.

We are indebted to Mr. S. B. Rudd, of Bristol, Virginia, for the following information concerning the church: "in the year 1792, a number of families came from Virginia to Tennessee, and settled on the northside of the Holston River. These families instituted the Methodist faith in this section. They multiplied and increased in number and began to spread out and occupy other locations in the section. And, of course, they built their churches and chapels. Among the houses of worship was Bethcar Methodist Church, which some historians designated as Moore's Chapel in the beginning. But it definitely became Bethcar Methodist Church, and is about ten miles from Morristown. We have never been able to discover just when the present structure was erected, but Mrs. Rudd gives us the following information: her father was the Rev. B. H. Talley, (born in 1850), and she often heard him mention that the original building was built of logs, and was a combination schoolhouse and church. It was there that he began his education. It is believed that the present building was built

prior to 1872, as Mrs. Rudd's grandfather, the Rev. Gabriel Franklin Page, filled a regular monthly appointment at the church at that time. The church is typical of the country churches in this section of Tennessee — rectangular, with a small steeple in front, and of course painted white. According to Mrs. Rudd, the interior of the church is especially interesting. The pews appear to be museum pieces, massive and apparently hand-worked from solid boards. The backs are approximately seventeen inches in height from the seat, which are very narrow in proportion to the height. The ends of the pews or benches are made of solid boards, tapering toward the top. Of course, the pews are grouped on each side of a center aisle. The pulpit or lectern behind which the preacher or speaker stood, as well as the pedestals on each side at the front of the platform, are paneled in dark wood. The pews and the chancel rail were originally in the same dark wood, but they were eventually painted white. a harsh note.

In connection with this biography, it has not been ascertained to what extent the Franklin Family at Leadvale were identified or connected with Bethcar Church, but we do know that a number of them are interred in the nearby graveyard. However, from the epitaph carved on the marble headstone of Elizabeth Rogers Franklin, the wife of Lawson D. Franklin, she was apparently very active in the Methodist Church, and the particular church in question was very probably Bethcar Church. Following is the list of members of the Franklin Family buried in the graveyard: Lawson D. Franklin (born Jan. 19, 1801 — died Apr. 6, 1861.); Elizabeth B. Franklin (born 8th December, 1809 — died 22nd April 1846 . . . “Sacred to the memory of Elizabeth B. Franklin, Consort of L. D. Franklin. — She was a member of the Methodist Episcopal Church and in all her walks she adorned the Christian character. Her friends feel a deep assurance that her spirit rests with God. She trod the road to joys above, And with her God she dwells in love.”; I. W. R. Franklin, (born Dec. 22, 1827 — died

Nov. 8, 1866); Robert O. Franklin (born Dec. 1, 1829 — died May 16, 1858); L. D. Franklin, (born Nov. 1, 1841 — died June 7, 1847 — 2nd son of I. W. R. Franklin); I. W. R. Franklin (born Apr. 9, 1866 — died Dec. 22nd, 1889); Jennie Franklin Boyd (daughter of J. M. and J. J. Boyd, born Nov. 6, 1861 — died July 9, 1867); Rev. Wm. A. Montgomery (“A sinner Saved by Grace” — born Nov. 16, 1829 — died Dec. 16, 1905); Caroline Franklin Montgomery (“Her children rise up and called her blessed”—born Nov. 5, 1831—died May 5, 1909); Frank L. Montgomery “Father”—born Apr. 23, 1858—died Sep. 10, 1916); Nena Rose Montgomery (“Mother—wife of Frank L. Montgomery”—born Jan. 19, 1857 — died July 25, 1938); Cal — (“daughter of F. L. and N. R. Montgomery — born Oct. 4, 1881 — died May 7, 1884); Rev. Wm. H. Montgomery (born July 2, 1796 — died May 7, 1873); Sarah Jarnagin — (“wife of Wm. H. Montgomery”—born Nov. 10, 1796—died Aug. 17, 1867); William Hamilton (“son of Rev. Wm. A. and C. F. Montgomery”—born Oct. 20, 1862—died June 22, 1882).

The Lawson D. Franklin Family lot in Bethcar Graveyard, is not confined to one special location. Unquestionably, there are quite a few other members of the family buried there, since a number of tombstones, or markers have been identified, but long years of erosion have obliterated the carving on a number of them.

*Family Graves in Evangelical United Brethren
Church in White Pine, Tennessee*

The following members of the Walters-Franklin family are buried in the graveyard of the Evangelical United Brethren Church in White Pine:

Rev. John M. Walters (born Apr. 8, 1850 — died Nov. 4, 1934); Lulu Franklin Walters (born Dec. 29, 1858 — died Sep. 1, 1927; Dorcas Walters (“Wife of Howard W. Goodman” — 1893 - 1931) Robert McBee Walters (“son

of J. M. and L. F. Walters'' born May 25, 1886 — died Jan. 28, 1909).

Geneological Connection With Benjamin Franklin

It has been established with little question that the Tennessee Franklin Family, originating with Lawson D. Franklin, of Leadvale, who was the great-grandfather of Herbert Walters, was definitely connected by blood ties with the famous Franklin Family of Pennsylvania, of which Benjamin Franklin was the most conspicuous member.

Various members of the Franklin and Walters descendants have searched State and National records, as well as records of the Daughters of the American Revolution, in order to establish eligibility to become members of the organization, and have established the relationship existing between the two Franklin Families. The information, much of it in great detail, has been obtained from Mrs. Charles A. Dodson, Jr. of Chattanooga, Tennessee, Mrs. W. G. Scott, of Lakeland, Florida and Miss Nellie Franklin, of Jefferson City, Tennessee.

It would be a cumbersome and unnecessary procedure to attempt a definite family chart, or family tree in order to establish the relationship. Therefore we will quote from the records as compiled by these interested members of the Franklin Family, records which in every case, have been authenticated. Benjamin Franklin (Jan. 6, 1706 — Apr. 17, 1790) had only one male heir, William Franklin, (1729-1813), the last Colonial Governor of New Jersey, who left no sons bearing the name. The father of Benjamin Franklin was twice married. After the death of his first wife, Ann Childs, he married Abiah Folger, (1659-1752) Ten children were born to this union: the eldest was John Franklin I, and the youngest and eighth child was Benjamin Franklin. Quoting from the diary of Benjamin Franklin: "Josiah, my father, married Ann Childs, and carried her and three children into New England about 1682; by her he had seven children, and after her death he married

my mother, Abiah Folger, by whom he had ten children — John I, Peter, Mary, James, Sarah, Ebenezer, Thomas, Benjamin, Lydia and Jane. Continuing the descendancy, John Franklin I, 1656-1745, (son of Josiah), had two sons: Franklin II and Robert Franklin, who served in the American Revolution while a resident of Campbell County, Virginia. Robert Franklin had a son, named Owen Franklin. In turn, Owen Franklin had a son, the first Lawson D. Franklin, who married Betsy Roper, in Dandridge, Tennessee. Their son was Lawson D. Franklin (1801-1861), who became the head of the family in Tennessee. He was, as we have stated, the great-grandfather of Herbert Walters, the subject of this biography.

Among the papers and letters of her mother, Miss Sarah Dougherty, of Russellville, Tennessee, found a copy of the self-written epitaph of Benjamin Franklin:

The Body
of
Benjamin Franklin, Printer
Like the cover of an old book;
Its contents torn out and
Stripped of its lettering and gilding,
Lies here, food for worms.
Yet the work itself shall not be lost,
For it, as he believes, will appear
Once more in a new and
More beautiful edition, corrected
And amended by the Author.

Transfer of Land From Father To Son

Among the old Franklin Family papers in the possession of Herbert S. Walters is one which is of considerable interest in that it represents the transfer of some three hundred and seventy-five acres of land by Lawson D. Franklin, Mr. Walters' great-grandfather to his eldest son, I. W. R. Franklin, Mr. Walters' grandfather. On this land,

Lawson Franklin built for his son the mansion "River-view", where Herbert Walters spent his early youth. It is presently owned by Mr. and Mrs. Thomas H. Berry, who, after restoring it to its original impressive beauty, have renamed it "Fairfax".

Following is the exact copy of the deed:

"This indenture made and entered into this the 5th day of October, 1853 By and between L. D. Franklin of the one part and I. W. R. Franklin of the other part Both of the County of Jefferson and state of Tennessee Witnesseth that for and in consideration of the sum of Thirty five hundred dollars in hand paid the receipt whereof is hereby acknowledged. The said L. D. Franklin hath and by these presents doth grant bargain sell and convey unto the said I. W. R. Franklin his heirs and assigns a certain tract or parcel of land lying and being in the county and state aforesaid on the North side of French Broad River Bounded as follows: Beginning on a stone below a Bluff or Cliff being the 3rd corner of a fifty six acre survey running with a line of the same west forty poles to a White Oak stump, thence with the same South fifty-six West thirty-two poles to a stake near a small Branch, Thence with the same North fifty-seven West forty-six poles to a Black Oak, thence North forty-seven West thirty-nine poles to a Hickory Franklin corner thence with said line and the ridge South fifty-three West thirty- poles to a Hickory on the top of the ridge thence South sixty-one West thirty-eight poles to a Post Oak on the top of said ridge thence South forty-eight West twenty-three poles to a stake near a Post Oak thence with said Franklin's line South forty poles to 3 Small White Oaks near the road thence with the same South thirty-two East seventy-four poles to a stake corner to G. F. Langdon, thence with the same South one hundred and ninety-eight poles to a stake on the Harmon survey of 196 acres Langdon's corner thence with a line of said Harmon tract East seventy-six poles to a three-pronged White Oak beginning corner of Harmon Survey thence North to a

stone corner established between L. D. Franklin & Eliza Moore thence East with a conditional line made by them sixty-two poles to G. F. Langdon's corner a stake thence with his line North sixty poles to a thence with the same South sixty-seven and three-quarters East thirty-eight poles to a stake near a White Oak thence North sixty-three East eleven poles to a Bluff near the bank of a creek and marked a sassafras thence North seventy-nine East sixteen poles to a stake North sixteen West twenty poles with the fence to a stake thence North eighty-five East forty-seven poles to a stake on the river bank, G. F. Langdon's corner thence up the meanders of said river to beginning, Estimated to contain 376 acres more or less being the same willed by Joseph Langdon to J. C. & I. F. Langdon together with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining To have and hold said land to the same I. W. R. Franklin his heirs executors administrators and assigns forever the L. D. Franklin doth here by warrant and forever defend the title of sd. land to the said I. W. R. Franklin his heirs & forever against the right title of him, his heirs & assigns and every other person or persons whatever both in Law and equity and L. D. Franklin doth hereby covenant with sd I. W. R. Franklin his heirs & assigns that he has a good right to convey the said land and that the same is unincumbered. In witness where of the said L. D. Franklin hath hereunto set his hand seal the day and year above written. (Signed) L. D. Franklin & signed and sealed and delivered in the presence of O. R. Watkins and E. Inman, dated Dec. 13th, 1853.

Added to the above deed is the following: State of Tennessee, Jefferson County; Personally appeared before me, James M. Nicholson, Clerk of the County Court Clerk of Jefferson, O. R. Watkins & E. Inman subscribing witnesses to the within deed after being sworn depose and say that they are acquainted with L. D. Franklin the Bargainer that they saw him Sign and seal and execute the same upon

the day it bears date. Witness my hand at Office in Dandridge this 13 Day of December, 1853. (signed) James M. Nicholson, Clerk, by his deputy Sam'l S. McCrustion.

Another addition to the papers states: State of Tennessee, Jefferson County: Registers Office December 16, 1853; Then was the within Deed and Clerk's certificate acknowledged thereas, Registered in the Register's Office of Jefferson County in Book No. 3 page 491 which came to my hands on the 16th Day of December, 1853 at 9 o'clock A.M. Witness my hand at Office in Dandridge the date above written. (signed) Sam'l S. McCrustion, Reg. for Jefferson County.

Lawson D. Franklin's Second Marriage

There is a definite reason why the information concerning the second marriage of Lawson D. Franklin appears in the Appendix of this volume. For some years there has been some confusion concerning the authenticity of this marriage, but no definite evidence turned up while this book was being written. After a year of intensive search, the material and evidence which we had been seeking, unexpectedly appeared among the papers in the possession of Mrs. M. Cecil Horner, the former Catherine Taylor. It will be recalled that Mrs. Horner's grandfather, Franklin W. Taylor, was the Administrator of the Lawson D. Franklin's Estate. And we should mention that Mr. Franklin's first wife, Elizabeth B. Franklin, died December 22nd, 1846.

Since the evidence of this marriage was not located until after the manuscript of this book was completed, it was impossible to include the details of it in the section on Mr. Franklin, his life and his activities. In examining the papers covering the marriage between Franklin D. Lawson and Catherine Smith, which apparently lasted between October, 1850 and March, 1851, and which was eventually dissolved by mutual consent, we find the details of the marriage settlement made before the actual marriage, and,

of much more importance, the details of the separation arrangement between the two concerned. It definitely establishes the fact that Lawson D. Franklin was a man of honesty, integrity and character. An examination of these papers shows that every item connected with the original marriage — all property, both real and personal which his wife, as was the custom of that era, turned over to him, — was returned to her through her Trustee. The fact that the marriage was not successful was in no measure a reflection upon either individual; such situations have occurred for many centuries. The report we offer on this marriage is contained in the paragraphs (somewhat condensed) following, and the information is copied verbatim.

STATE OF ALABAMA

MORGAN COUNTY

Whereas Catherine Smith of said County and State is about being married to Lawson D. Franklin of Jefferson County and State of Tennessee, and being willing and anxious before the solemnization of the same to secure to her own separate use and benefit free from all encumbrances which might arise from said anticipated marriage, all her present possession of Land and negroes. Wherefore let this Indenture witnesseth that the said Catherine Smith for and in consideration of the premises and the further consideration of five dollars to her in hand paid by Archibald McDonnell, Trustee, the receipt whereof is hereby acknowledged she the said Catherine Smith has and by these present doth bargain sell and convey unto the said Archibald McDonnell, Trustee, as aforesaid about nine hundred acres of land lying in Morgan County, Ala. some four miles southwest of Decatur, on the Moulton Road, on which the said Catherine Smith now resides, and the following named negroes on said Plantation (to wit) Wah, Nelson, Green. Jefferson men, Rebecca, Nancy, Charlotte, women, Tom, June, Margaret, Felix, Mary, Betty, Alexander, Monroe, Charles, children — and for and in consideration as aforesaid she the said Catherine Smith doth further bargain, sell and

convey in trust as aforesaid to the said Archie McDonnell her plantation and negroes in Monroe County and State of Mississippi lying some two or three miles of Okolona containing about one thousand acres more or less, and better known as the plantation on which the said Catherine Smith is now farming in said County of Monroe and State of Mississippi, and also the following named slaves and the future increase of the female slaves (to wit) Jacob, Sally, old Lewis, Esther and Mary, Jane, Peggy, Fanny, Daniel, James L., old Peter, Harriet, Crow, Caroline, Edmund, Monty, Letty, Willis, Carlock, Ann, Mullins, Manerva, Chance, Emily, Lewis, Stanback, Little Harriet, Frederick, Jo Check, Milly, Berry, Lizy, Artery, Henry B. John, Anderson, Little Peter, Muses, Ann, Green B., Charles, Nancy, Tom Williams, Tabotha, L. Lewis, L. Ann — In trust, nevertheless, that it is understood and agreed by and between the Parties to this Deed that this sale and conveyance is made to the said Archibald McDonnell in trust, subject to the following restrictions, that should said anticipated take place, the said Catherine Smith shall retain the right of disposing of any or all of the before mentioned Land and negroes in Morgan County, and State of Mississippi, and it is further agreed to by and between the parties to this Deed that the said Catherine Smith shall have full power with the consent of said Trustee, to dispose of all or any part of the property thereby conveyed, and should the said Catherine Smith wish to sell any or all of the aforesaid property hereby conveyed either real or personal and buy other property in lieu thereof the said Trustee shall do so, and the property so purchased shall be held subject to all provisions and restrictions of this Deed. And the said Catherine Smith has the right to nominate a new trustee, and when requested to do so, the said Archibald McDonnell shall convey to such person so appointed as aforesaid all the interest he has under this deed. And the said Catherine Smith retains full power and authority to direct the disposition of all the property hereby conveyed by last will and

Testament, but not to take effect until after the death of the said Franklin, and it is further understood by the parties that the said Franklin is authorized and empowered to take possession of all the before mentioned property both real and personal in said County of Morgan and also that in said County of Monroe, Mississippi and have full power to control the same, and take the profit, rents, emoluments and proceeds thereof to his own use and benefit — during the lifetime of said Franklin, and the said Franklin is further authorized and empowered to receive all property, notes, accounts, moneys or other choses that is now or may be hereafter due the said Catherine Smith, to his own separate use and benefit, and it is also further understood between the parties to this Deed, that should the said Catherine Smith surviving the said Franklin, then for and in consideration aforesaid, hereby relinquishes all her right with claim and interest in any manner whatsoever in and to the Estate of said Franklin both real and personal, either in common law or Equity. In testimony whereof we have hereunto set our hands and affixed our seals this 9th day of October, 1850.

Catherine Smith (seal)

L. D. Franklin (seal)

Archibald McDonnell (seal)

Following this is the usual identification of the two parties, both in Alabama and Mississippi.

Folowing is the Deed of separation between Catherine Smith and Lawson D. Franklin.

Articles of agreement made and entered into this the 25th day of March, 1851 between Lawson D. Franklin of the one part and Archibald McDonnell Trustee for and on behalf of Catherine Franklin, wife of the said Lawson D. Franklin, of the other part. Whereas the said Lawson D. by virtue of his marriage with the said Catherine, and of a certain Deed of settlement made by her and others on her behalf is entitled to and has the possession, use and benefit

of certain real and personal property of a very considerable value and consisting of Lands, tenements, hereditaments & negroes & other effects, which before their intermarriage were the property of the said Catherine; and whereas the said Lawson D. and the said Catherine have by mutual consent agreed to immediately separate and live apart, and to the intent that the said Catherine may maintain and support herself in a manner suitable to her rank and quality, he the said Lawson D. hath agreed and does hereby release, convey, surrender and yield up all the interest in and to the Estates and effects both real and personal which he is now or at any time hereafter shall be seized or possessed of or entitled to in right of the said Catherine, or by from or under her; to be held and enjoyed by her henceforth, to her sole and separate use, and to be at all times fully and absolutely at her disposal either by Deed, Will or otherwise that the said Catherine may elect to dispose of the same, as if she were sole and unmarried. And further the said Lawson D. doth hereby Covenant to and with the said McDonnell Trustee as aforesaid, that he the said Lawson D. his heirs, executors, administrators and assigns shall and will from time to time & at all time hereafter, well and sufficiently save, protect and bear harmless all the Estate both real and personal and all and singular other the premises hereby granted, surrendered and yielded up, and all other Estates, goods and chattels, moneys, rights & credits which she the said Catherine by her own industry or management shall hereafter obtain or acquire, or which by any gift or devise she the said Catherine or he the said Lawson D. his executors, administrators or assigns on right of her, may, might or can hereafter claim challenge or demand, in any wise however — free from all manner or action or actions, suits, arrests, attachments, or Judgments by or against him the said Lawson D. had suffered recovered, send forth or obtained, and the said Archibald McDonnell Trustee as aforesaid for and on the part and behalf of said Catherine Franklin in consideration of the promises as well

as for the other and further consideration of said separation as aforesaid, does for himself, his heirs, executors, administrators and assignes, that he the said McDonnell will from time to time and at all times hereafter will and sufficiently save, protect and bear harmless, all the estates moneys goods and chattels rights credits and all and singular the property both real and personal of him the said Franklin now in possession or that he may hereafter in his own right acquire, or obtain free from the payment of all manner of Debts, or Contracts that the said Catherine may hereafter during the said separation make with any and all persons whatsoever and also from the payment of all alimony, Dowry etc. hereafter claimed or demanded by said Catherine of, or from the said Lawson D. his heirs, executors, or assigns; and the said several parties hereunto do mutually promise and agree to and with each other to sign seal and execute all such Deeds and conveyances for the better executing and carrying out the several articles aforesaid, according to their true interest and meaning as by their Counsel shall be advised and required, and at such time or times of either of the parties shall tender and require the same to be signed sealed & executed. In testimony whereof the said parties have hereunto set their hands and seals the day and year first above written. (signed)

L. D. Franklin (seal)

Archie McDonnell (seal)

Just before the usual legal identification of the parties involved and the sworn statement of the Judge that the foregoing articles of agreement were duly sworn to and settled, appeared the following statement:

“The said Catherine Franklin hereby assents and agrees to each and all of the stipulations above set forth. In testimony whereof she hereunto sets her own sign manual this day and year first above written.”
(signed) Catherine Franklin.

Thus, we see that the separation between Lawson D. Franklin and Catherine Smith Franklin was effected peace-

ably and in friendly fashion, and establishes the fact that the dowry of Catherine Smith, both real and personal, which she turned over to her husband, was returned to her, after their separation, exactly as it had originally been given to him.

Finis

And so, "The Herbert Walters Story" has been told. Today, Herbert Walters is exactly the same as he was when this story began: active, energetic and tireless in his efforts to be of help and assistance to all with whom he comes in contact. His interest in his friends, his State and his Country remains steadfast and unchangeable, and we repeat again: "such a human-success story could happen only in America!"

